

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN DIVISION**

TARA KING, ED.D., individually and on behalf of her patients, **RONALD NEWMAN, PH.D.**, individually and on behalf of his patients, **NATIONAL ASSOCIATION FOR RESEARCH AND THERAPY OF HOMOSEXUALITY (NARTH)**, **AMERICAN ASSOCIATION OF CHRISTIAN COUNSELORS (AACC)**,

Plaintiffs,

v.

Civil Action No. 13-5038 (FLW)(LHG)

CHRISTOPHER J. CHRISTIE, Governor of the State of New Jersey, in his official capacity, **ERIC T. KANEFSKY**, Director of the New Jersey Department of Law and Public Safety: Division of Consumer Affairs, in his official capacity, **MILAGROS COLLAZO**, Executive Director of the New Jersey Board of Marriage and Family Therapy Examiners, in her official capacity, **J. MICHAEL WALKER**, Executive Director of the New Jersey Board of Psychological Examiners, in his official capacity; **PAUL JORDAN**, President of the New Jersey State Board of Medical Examiners, in his official capacity,

Proponents of A3371s.

DECLARATION OF DR. JUDITH REISMAN

I, Judith Gelernter Reisman, PhD hereby declare as follows:

1. I am over the age of 18 and am submitting this Declaration as expert testimony in response to the declarations of Bayer, Davies, Drescher, Haldeman, and Herek, which I have

reviewed. The statements in this Declaration are true and correct and if called upon to testify to them I would and could do so competently.

2. I am submitting this Declaration in support of Plaintiffs' Motion for Summary Judgment and in opposition to Defendants' Cross-Motions for Summary Judgment.

BACKGROUND

3. My background and experience in the fields of Science Fraud, Human Sexuality, Child Sexual Abuse, and Mass Media Effects and a list of my published articles, books, and book chapters are described in my curriculum vitae, which is attached to this Declaration as Exhibit A.

4. I hold a Masters and a Doctorate in Communications, both from Case Western Reserve University. I am currently a Visiting Professor of Law at Liberty University School of Law. Formerly, I was Associate Professor "Martze" at the University of Haifa, Israel; Research Full Professor, The American University; and was part of the adjunct faculty of George Mason University.

5. I am a former consultant to four U.S. Department of Justice administrations, the U.S. Department of Education, as well as the U.S. Department of Health and Human Services. I have an expertise in Media Forensics.

6. I am a former consultant to the California Judicial Investigative Task Force and the American Legislative Exchange Council (ALEC) on Sex Science Fraud, which published my findings on Alfred Kinsey's criminal and fraudulent scientific data and methods, and the invalidity of subsequent academic works and policy decisions derived from him and from those who followed and used his work as legitimate science. *See* The ALEC Report, attached as Exhibit B.

7. I am a former consultant to the US Senate Committee on Commerce, Science and Transportation, providing expert testimony on The Science Behind Pornography Addiction, providing expert testimony examining brain science related to the media called pornography and its addiction and the effects of such addiction on families and communities.

8. The United States Department of Justice has published my reports on the Role of Pornography and Media Violence in Family Violence, Sexual Abuse and Exploitation, and Juvenile Delinquency. Part 1, NCJ 107147, [PDF](#) (24.7 MB) [NCJRS Abstract](#); Part 2, NCJ 107148, [PDF](#) (27.1 MB) [NCJRS Abstract](#); Part 3, NCJ 107149, [PDF](#) (16.8 MB) [NCJRS Abstract](#); and Part 4, NCJ 109944, [PDF](#) (7.5 MB) [NCJRS Abstract](#).

9. I have lectured at American universities such as Princeton, Notre Dame, Georgetown, Pepperdine; and internationally at the University of Jerusalem, University of Haifa, and Tel Aviv University. Additionally, I have lectured at Johns Hopkins University School of Medicine, the Rutherford Institute, the Council for National Policy, the Federal Bureau of Investigation, and the United States Air Force Academy, among many other institutions.

10. I have been cited by or appeared on a lengthy list of media sources: The London Times, Time, The Los Angeles Times, Newsweek, The Washington Post, Entertainment Tonight, Larry King Live, Donahue, The Today Show, Crossfire, The New York Times, Ted Baehr's Movieguide, and many more.

11. I have earned honors including listings in "Who's Who in Science and Engineering," "Who's Who of American Women," International "Who's Who in Education," "The World's Who's Who of Women," "Who's Who in Sexology," and others.

12. I have authored many books and articles and have been cited in numerous scholarly works. See attached curriculum vitae Exhibit A. Among my published works is Kinsey, Sex and

Fraud, 1990, Sexual Sabotage, 2010; Kinsey: Crime and Consequences, 1998 and 2000; and Soft Porn Plays Hardball, 1991. I have been an expert witness in many court, military, and civic hearings concerning child pornography, pornography, homosexuality, sexual harassment, and media issues. My works have been referenced in a number of lower court decisions, and in the following United States Supreme Court cases: *Oakes v. Massachusetts*, 491 U.S. 576 (1989) and *Osborne v. Ohio* 495 U.S. 103 (1990). My scholarly works have also been the impetus behind the proposed child protection legislation HR 2749 (Washington, D.C., 1995), The Child Protection and Ethics in Education Act.

13. In addition to the numerous books and scholarly articles that I have written and the extensive education I have received in the United States, I have also participated in numerous international training seminars occurring all over the world in places including the Philippines, the Vatican, Austria, Ireland, Israel, Switzerland, and Croatia.

14. In Croatia, as a direct result of my documentation of the fraudulent research of Alfred Kinsey, on May 22, 2013, Croatia's Supreme Court - the "Croatian Constitutional Court" abolished the Health Education Curriculum, which took effect in February 2013, and ordered that until the adoption of a new curriculum, mandated that Health Education be taught according to the curriculum that had been in force before the start of the 2013 school year. The court assessed the constitutionality of the Kinsey-based curriculum and Education Minister Zeljko Jovanovic's decision to introduce it. Even though only the curriculum's Module 4, which dealt with sexual and gender equality and sexually responsible behavior was disputed, the Constitutional Court approved the abolition of the entire curriculum because the disputed points related to the entire document. In speaking for the Court, Judge Mato Arlovic said that "In this case, the government has not fulfilled its procedural constitutional obligation to align the Health

Education Curriculum in state schools with constitutional law and parental freedom to choose education for their children," The curriculum was in violation of the Croatian Constitution, the Education Act, the Family Act and international conventions such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Convention on the Rights of the Child.¹

15. In 2012 Switzerland, exposure of Kinsey's atrocities led to the Swiss defunding their "Sex Competency" education center.²

16. Recently, the Nordic Council of Ministers (a Norway, Sweden, Finland, Denmark, and Iceland co-operative) closed the Nordic Gender Institute ("NIKK") for its bogus "Gender Theory" science, after a creative Norwegian journalist documented the "unscientific character of the NIKK and its research," the institute closed, and has now moved.³

17. I am the unnamed "independent researcher" (quoted in the article cited in Drescher's CV), who "has charged that Kinsey did more than passively take notes on the habits of a sex criminal, but that he was involved in such crimes." As stated in the article, "Kinsey has also been faulted for his chronicling of pedophilia and the sexual habits of young children...he relied heavily on data from one man — a pedophile who reported sexual encounters with hundreds of children, all of which he chronicled in a journal. Reliance so much on one person was not a reliable way to gather facts. More than that, however, was a moral issue: Why didn't Kinsey report the man to the police?" See Declaration of Jack Drescher, MD - "The Kinsey Effect" Commentary on the impact of Alfred Kinsey's work following the film release of *Kinsey*. Los Angeles Times, November 15, 2004, pp. F1, F4-F5.

¹ <http://inavukic.com/2013/05/22/croatian-constitutional-court-abolishes-health-sex-education-curriculum/>

² http://www.bag.admin.ch/hiv_aids/05464/05470/05482/index.html?lang=en

³ <http://www.turtlebayandbeyond.org/2012/homosexuality/nordic-countries-defund-gender-ideology>.

18. With this background established, I have reviewed the Declarations of Bayer, Davies, Drescher, Haldeman, and Herek, and will list my general and specific objections to their testimony.

Scientific Misconduct Invalidates Policy Decisions Based Thereon

19. In general, the Declarations of these individuals are unreliable insofar as they are based on the scientific misconduct (lies, fabrications, and crimes) contained in the work of Alfred C. Kinsey, and his ideological progeny. As set forth below, Alfred Kinsey fabricated data upon which rests the entire edifice of pseudo-scientific human sexuality knowledge supporting the passage of A3371.

20. The American and international science field has been grappling with fraud and misconduct for years. As of May 2012, at least 2,047 biomedical and life science studies had been retracted by the journals that published them, meaning that the studies contained errors or fabrications that rendered their results meaningless. A detailed review of all 2,047 biomedical and life-science research articles indexed by PubMed as retracted on May 3, 2012 revealed that only 21.3% of retractions were attributable to error. In contrast, 67.4% of retractions were attributable to misconduct, including fraud or suspected fraud (43.4%), duplicate publication (14.2%), and plagiarism (9.8%). Incomplete, uninformative or misleading retraction announcements have led to a previous underestimation of the role of fraud in the ongoing retraction epidemic. The percentage of scientific articles retracted because of fraud has increased ~10-fold since 1975.⁴

21. Institutions receiving certain federal research funds are obligated to refrain from scientific misconduct. *United States v. Bruening*, No. K88-0135 (D. Md., Nov. 10, 1988). Scientific misconduct may include the use of fraudulent or deceptive data. *Id*; See also Reisman, *Kinsey, Sex, and Fraud*.

22. Stephen Breuning, formerly a research psychologist with the University of Pittsburgh, was indicted in federal district court in Baltimore for falsifying his research results in 1988. *See*

⁴ Proceedings of the National Academy of the Sciences in the United States of America, vol. 109 no. 42, Fang, F.C. 17028–17033 available at <http://www.pnas.org/content/109/42/17028>

Kuzma, 25 U. Mich. J.L. Reform 357, 1992; See also Reisman, *Kinsey, Sex, and Fraud*. The National Institute of Mental Health (NIMH) had provided Breuning with grants of more than \$150,000 to investigate the effects of treating hyperactive retarded children with Ritalin and Dexedrine. *Id.* Breuning's data impacted public health policy nationally. *Id.* Breuning's "well-established reputation was considered instrumental in forming public health and policy nationally...several states amended treatment practices as a result." Reisman, *Sexual Sabotage*, 325. A 1987 New York Times article noted that Breuning was one of the "nation's most influential researchers" in his field and many states "amended policies governing treatment practices in an effort to be consistent with Dr. Breuning's findings." Boffey (*Science* 235: 141, 1987)..

23. While Breuning's data impacted public health policy nationally, Kinsey's data have had a far greater impact on both public health policy and public morality, both nationally and internationally. Like Breuning, Kinsey and his research colleagues knowingly misrepresented their data. See Reisman, *Kinsey, Sex, and Fraud*. Unlike Breuning, Kinsey and his research colleagues actually engaged in sex crimes, harming children for their experiments.

Overview of Origin and History of the Founding of the Homosexual Movement in 1948

In light of the serious nature of a charge of fraudulent data, it is advisable to revisit the founding of the movement which has wrought such social change worldwide. The homosexual movement was formally organized on the fraudulent⁵ sex science of Dr. Alfred Kinsey's *Sexual Behavior in the Human Male*, (1948). Harry Hay, homosexual and communist dialectician, read the Kinsey Report in 1948 and found Kinsey's recommended recreational-sex lifestyle fully

⁵ Judith Reisman & Edward W. Eichel, *Kinsey, Sex & Fraud* (Lafayette, LA: Huntington House, 1990). See especially pp. ISO-ISS "The Fraud Taboo" for a definition of "scientific fraud." "According to the Committee on the Conduct of Science of the National Academy of Sciences, fraud in science can encompass a wide spectrum of behaviors but the acid test of scientific fraud is the intention to deceive." That Kinsey's work is incriminated by this test is beyond question. p. 55.

approving of Hay's homosexual conduct and character. Spurred to action by the "scientific" 10 percent homosexuality figure Kinsey claimed, Hay immediately declared his long-time sexual "orientation," deserted his wife and two children, and founded the Mattachine Society, the origin of the political homosexual movement. Gay historians have lionized Hay for his "profound contribution" to the homosexual estate and for positioning homosexuals not as "sodomites" but as a "minority" only seeking "civil rights." Hay took what was criminal conduct in the UCMJ and all fifty states and crafted the words to transform, and create, a distinct "cultural minority" claiming minority membership and rights for the first time. This has continued modernly. *See, e.g.,* Herek Decl., Para. 10. The homosexual movement still follows Hay's original strategy to claim protection from "discrimination" because of its "victim" status as a cultural minority. Harry Hay, architect of the modern political homosexual movement, marched with NAMBLA, the North American Man-Boy Love Association, urging an end to age of consent laws, to allow sex with children.⁶ And the NAMBLA website still offers kudos and thanks to Kinsey for his contribution to their increasing acceptance.

Fraudulent Science has been Relied upon to Advance the Homosexual Agenda

24. While Davies, Drescher, Haldeman, and Herek may try to employ *valid and efficient* scientific techniques in their professional writings and analysis, they cannot escape the underlying false premises upon which technically accurate techniques are based, which inescapably lead to fatally flawed results.

25. If the foundation is compromised, the entire structure is as well. If the fount is poisoned, the societal stream of consciousness is too. Thus, the conclusions of these declarants are

⁶ Stuart Timmons, *The Trouble with Harry Hay, Founder of the Modern Gay Movement*, (Boston: Alyson Publications, Inc., 1991).

inextricably linked to the "sex scientists" who have provided pioneering scientific cover by creating *fraudulent* homosexual data, and are themselves invalid.

26. Thus, there can be no correct discussion or judicial decision involving this issue of homosexuality - (or a moral/values judgment about the same as set forth in A3371) - without reference to the man who legitimized homosexuality for America and the world; Dr. Alfred Kinsey and the "sexology" profession which grew from his 1948 data. Post World War II, the "European" sexology profession became legitimized in America, through Kinsey's alleged "value neutral" "objective" "science." While Kinsey's shadow is long on the post-1948 legal-socio-political landscape, it is by no means unopposed. Where the light of truth shines, shadows flee. Judge Oliver Gasch's decision in U. S. District Court in D.C.⁷ (upholding the ban on homosexual military service on the basis of the author's research - also upheld by the *en banc* decision in *Steffan v. Perry*, 41 F.3d 677 (D.C. Cir. 1994).) is but one example of a court shining the light of truth on Kinsey's homosexual data, which cited *Kinsey, Sex and Fraud*, of which the *Lancet* wrote:

... The Kinsey reports (one in 1948 on males and the companion five years later) claimed that sexual activity began much earlier in life, was more varied and more frequent, and displayed less horror of age differences and same-sex relationships than anyone at the time imagined ... " ***In Kinsey, Sex and Fraud Dr. Judith Reisman and her colleagues demolish the foundations of the two reports . . . The important allegations from the scientific viewpoint are imperfections in the sample and unethical, possibly criminal, observations on children.*** Any questionnaire survey in a normally private area is subject to bias from differences in those who respond and those who refuse, and there is no ready means of checking the information. The book goes beyond that, however, ***for Kinsey et al. questioned an unrepresentative proportion of prison inmates and sex offenders in a survey of "normal" sexual behavior. Presumably some at least of those offenders were also the sources of information on stimulation to orgasm in young children that can only have come from pedophiles -or so it must be hoped.*** Kinsey, an otherwise harmless student of the gall wasp, has left his former co-workers some explaining to do. (Emphasis added).

⁷ *Steffan v. Cheney*, 780 F.Supp. 1 (D.D.C. 1991), *aff'd* by *Steffan v. Perry*, 41 F.3d 677 (D.C. Cir. 1994).

27. A3371's claim that homosexuality is as equally valid a character trait as compared to heterosexual character ("Being lesbian, gay, or bisexual is not a disease, disorder, illness, deficiency, or shortcoming. The major professional associations of mental health practitioners and researchers in the United States have recognized this fact for nearly 40 years;") (as well as the position statements of organizations supportive of A3371, such as the American Psychological Association and others) stands or falls on the viability of "science," particularly "sex science" to prove homosexual normative health. *The Lancet* cited crimes against children and society in Kinsey's work, and called for an investigation of these fraudulent data.⁸ Its call and the calls of others have largely gone unheeded. But just as society had to eventually admit that the world was indeed round, or that the "science" of phrenology, (intelligence measured by head bumps and cranial size) was a total fraud,⁹ sex "science" based on Alfred Kinsey is also fraud. In a fashion, it is much like alchemy - a pretend science that had been cultivated in the past, but that is now held in contempt.

28. Similarly, Kinsey "alchemists" feigned surprise that their "scientific sex survey" of roughly 18,000 to 21,000 allegedly normal women and men of the 1940s were promiscuous, adulterous, bi/homosexual, engaged in prostitution, child-adult sex and engaged in the sodomies and the like- with no ill consequences.¹⁰

29. Kinsey and his team concluded that archaic Judeo-Christian hypocrisy made Americans "hide" our sexual conduct. If we were but truthful, they claimed, Americans would have paradise on earth and all measure of sexual disorder, from illicit birth to venereal disease, rape and

⁸ Dr. Reisman has called for a full Congressional investigation of Kinsey's team, their data and the field.

⁹ *The Oxford English Dictionary*, *supra*.

¹⁰ Reisman and Eichel, *supra*.

divorce, would decrease.¹¹ While the Kinsey team claimed the data proved Americans were liars, the data really prove the Kinsey team were liars. Roughly 86% of the team's allegedly "normal" sample were exhibitionists, prostitutes, pimps, rapists, incest offenders, pedophiles and such, as well as *imprisoned* general and sex offenders.

30. Proof of fraud is found in a) the Kinsey team's tainted sample; b) the false predictions based on a phantom research population of normal men and women; and c) their additional tendency to alter and trash data that did not support their goals. Nearly seventy years later, every prediction based on Kinsey's data has been repudiated and disproven, the ultimate test of failed or false science. Every measure of sexual disorder has increased and AIDS and other once unknown sexual and heterophobic dysfunctions are now plagues of our time. The sexual panacea promised by Kinseyan sex "experts" backfired.

31. Nonetheless, the sexuality professions, teaching and counseling, grants, research and therapies carved out of the Kinsey Institute "alchemy" charge onward. Post-1948, all scholarly disciplines teach the Kinseyan sexuality model since no other human development theorists (e.g., Freud, Maslow, Rodgers, Piaget, Ericson) produced theories of bi- or homosexual normality. During this time, Kinseyan disciples have poured out similarly groundless sex "study" fantasies. Kinsey's fraudulent "10 percent" homosexual and "gay youth" population now massively mislead educators, doctors, parents, pastors, legislators and judges. Homosexual activist organizations continue to peddle the lie that 10 percent of the population are "born" homosexual, while even Kinseyan scholars have retreated from that number in the face of legitimate studies in Britain, France and the United States that have confirmed a 1-2 percent homosexual population which

¹¹ See "Historical Introduction," etc., Alfred Kinsey, et al., *Sexual Behavior in the Human Male* (Philadelphia, PA: W. B. Saunders, 1948) and *Sexual Behavior in the Human Female* (Philadelphia, PA: W. B. Saunders, 1953).

should have been known to all sexuality "experts."¹² See also Herek, GM. (1989, August 1). The tyranny of ten percent: Does it really matter how many Americans are gay? *The Advocate*, pp. 46-48.

32. Moreover, a poor family environment, abuse and/or neglect, *key precipitating factors in stamping a homosexual character*, are now denied by all Kinseyans, including Davies, Drescher, Haldeman, and Herek. See Reisman, *Kinsey, Sex & Fraud, supra*, for a discussion of the fraudulent 10% data and the 1993 and 1995 *Advocate* studies for an expansive discussion of the early sex abuse etiology inherent in homosexuality. Especially note *Paidika The Journal of Paedophilia* (Amsterdam, The Netherlands); *One Teenager In Ten* (Ann Heron, Editor); Robin Lloyd, *For Money or Love: Boy Prostitution in America* (New York: Vanguard Press, 1979).

33. In his 2009 article "Queer Diagnoses: Parallels and Contrasts in the History of Homosexuality, Gender Variance, and the Diagnostic and Statistical Manual," Jack Drescher cites with approval Kinsey's biased Kinsey Institute co-authors, (Pomeroy, Martin and Gebhard) that are Drescher's ideological forbears, as well as those of the rest of the "experts" for Garden State Equality and the State of New Jersey. Moreover, Drescher cites with approval other pioneering "experts" who were emotionally compromised, scientifically tainted and *on record as pedophile advocates*.

34. Drescher's psychobiology authority and expert, Dr. John Money of Johns Hopkins University, argued for man-boy "love" in the *Journal of Paedophilia*.¹³ Dr. Money appeared in the Spring 1991 issue, assuring pedophile consumers that man-boy sex is

an overflow of parental pairbonding ...into erotic pairbonding ... male paedophilia at least, is a fatherly relationship.... If a boy aged ten or eleven [has sex with] a man I would not call it pathological in any way.¹⁴

¹² Alan Guttman, in *The New York Times*, found 1.1 percent "exclusively gay." "The Shrinking Ten Percent," *TIME*, 26 April 1993, p. 27.

¹³ *The Journal of Paedophilia*. John Money's interview, Spring 1991, pp. 2-13.

35. Dr. Money served on the Board of Advisors for *Penthouse Forum*, a *Penthouse* pornographic publication, on record as defining incest as "beneficial." Money argued for the end of "age-of-consent laws" to legalize pederasty (man-boy sex) and sexual or erotic homicide if "a couple who are sadomasochistic [allegedly consent to} a death pact." "Consent" not the sexual murder of a child, was the issue for Dr. Money.¹⁵

36. Drescher's sex history expert, Dr. Verne Bullough was also a self-identified pedophile editor of *Paidika: The Journal of Paedophilia*,¹⁶ which states "*the starting point of Paidika is necessarily our consciousness of ourselves as paedophiles ... The Editors*"¹⁷ The journal regularly advertised for NAMBLA members (the North American Man Boy Love Association) and can be operationally classified as advocating pederasty.

37. Bullough told sex researchers; "*Politics and science go hand in hand. In the end it is Gay activism which*¹⁸ *determines what researchers say about gay people.*"¹⁹ Implicitly, he links homosexual and pedophile research, saying the pedophile researcher "determines" what is told to the courts and the public about homosexuality. Dr. John Gagnon, another key Drescher authority, agreed. Gagnon tasked sex researchers to practice "alchemy" - not science - and to *create fraudulent* homosexual data to manipulate the courts and society.

[Do not collect data which would] locate the origins of [homosexual] desires ... Attempts to placate the oppressors will only invite further persecution. The source of

¹⁴ Id, p. 3, 5, 13, 7, 8.

¹⁵ Sarbin, *supra*, pp. 20 - 22.

¹⁶ *The Journal of Paedophilia*, Statement of Purpose, signed "The Editors," Vol. 1, Summer 1987: " ... The ground on which we stand is the emergence and evolution of paedophile consciousness and identity in history ... [from] the early German sexual emancipation movement. ... But to speak today of paedophilia, **which we understand to be consensual intergenerational sexual relationships**, is to speak of the politics or oppression ... It is our contention that the oppression or paedophilia is part of the larger repression of sexuality, and that this repression in general represents an irrational expression of authority in government. "The Editors" (Emphasis added).

¹⁷ Id. p. 3.

¹⁸ *Catholic Medical Quarterly*. May 1992, pp. 15-16.

¹⁹ Reisman, 1990, p. 212.

*freedom in everyday life for gay men and lesbians is continued vigilance and **practical political action.***²⁰ (Emphasis added).

38. What *accurate* homosexuality data can science predict from such "scholarship," seeking to legitimize *pyschopathologically disordered*, criminal conduct? By their writings it is clear these men consider themselves the sexual and intellectual elite and pederasty to be at the heart of homosexuality. (An editorial in the *Sentinel*, San Francisco's premier homosexual publication asserted that "the love [sex] between men and boys is at the foundation of homosexuality."²¹ Despite gay alchemists' efforts²² to lower the age of consent and legitimize pedophilia, *scientifically, homosexual youth do not exist*. Just as there are normally no gay cats, dogs, horses, etc., no scientific data across time, culture and species finds for normal homosexuality. Rather, the data do find for early abuse, neglect and seduction as precipitating homosexual and other *heterophobic conduct*.²³

39. With this overview of the history of the homosexual movement as founded upon the fraudulent "science" of Alfred Kinsey and his Indiana University compatiots complete, I turn to the individual declarations, the ultimate conclusions of which are based upon a fraudulent foundation, and therefore, provide no support for A3371.

Declaration of Drescher

40. Dr. Drescher is immediate past president of the Group for the Advancement of Psychiatry ("GAP"). In contrast to its current stance on the relative capacities of minors to receive information about sexual orientation that does not support a homosexist worldview, GAP has traditionally supported full childhood responsibility for sexual choices (in areas other than

²⁰ Gagnon, John, *The Journal of Sex Research*. February 1987, p. 124.

²¹ "No Place for Homo-homophobia," *San Francisco Sentinel*, 26 March 1992.

²² Dean Harner et al., "A Linkage Between DNA Markers on the X Chromosome and Male Sexual Orientation," *Science*, Vol. 261, 16 July 1993, p. 322.

²³ See the massive body of child sex abuse and homosexual recovery literature.

unwanted same-sex attractions and SOCE): In 1950, GAP set forth the position that in regard to “persons” (not *children*) under 7, “stamped as minors,” “many are by endowment and training fully capable of part or exceptionally even full responsibility for sexual behavior....in the later age levels [somewhere between 7 and 18] the legal concepts of rape and of contributing to delinquency become increasingly untenable.” Manfred Guttmacher, *Psychiatrically Deviated Sex Offenders - Age Disparity (Relations Involving One Adult)*, Report No. 9, Committee on Forensic Psychiatry of the Group for the Advancement of Psychiatry, February, 1950.

41. *Report No. 9* engaged in full repetition of Kinsey’s “findings” that sexual behavior in minors is “common,” Manfred Guttmacher in *Psychiatrically Deviated Sex Offenders*, Report No. 9, Committee on Forensic Psychiatry of the Group for the Advancement of Psychiatry, February, 1950. In his report on the ALI Model Penal Code, David Allyn wrote that ...“Kinsey’s data were the points by which we steered.” “Private Acts/Public Policy: Alfred Kinsey, the American Law Institute and the Privatization of American Sexual Morality.” *Journal of American Studies* 30, 1996, at 3, 405-428.

42. Unsurprisingly, Dr. Drescher is also a proponent of the belief that homosexuality is normal and acceptable and under a “normal/identity model,” regards homosexuality as a normal variation of human expression and “acceptance of one’s homosexual orientation as a distinguishing feature of a gay or lesbian identity.” Drescher Decl., Para 7.

43. Drescher states that “Since at least the middle of the 19th century, scientists had debated the issue of whether homosexuality was an illness or a normal variant of human sexuality.” Drescher Decl., Para 6. Who, pray tell, was the father of homosexuality as “a normal variant of human sexuality” upon which all modern sexology is based? Dr. Drescher has placed at issue the ultimate foundation of A3371: the veracity of Alfred Kinsey.

44. While placing Kinsey's veracity at issue, Drescher ignores Table 34 (see Reisman Exhibit C), in which Kinsey colluded in the rape of children, some as young as two months old. Also in Table 34, a 4 year old boy is reported with allegedly 26 "Orgasms" in "24 hours"- one of up to 2,035 infants and children whom Kinsey and his pederast team sodomized and digitally violated - ostensibly for "science"- as the children screamed, fainted, had convulsions and fought to get free of their rapists. Gagnon calls Kinsey a "neutral observer" of these sex crime atrocities. As we proceed, the witnesses for the State of New Jersey and Garden State Equality, and their reliance on the authority of Kinsey—and/or his data--become critical to legal decisions accrediting the witness' expertise. Beyond Kinsey's child sexual atrocities, Dr. Reisman's books address the massive sexual frauds in the Kinsey books—frauds largely responsible for the sexual revolution and this instant case. As for Drescher's claim that opponents of the "normal/identity" model dismissed the "moral or scientific authority" of supporters of homosexuality in the sociopolitical debate, he is correct: those seeking to define homosexuality as normal have neither moral nor scientific authority, because their source Kinsey, is a clinically definable sexual deviant who belonged in prison under the then "sexual psychopath laws." Drescher Decl., Para. 9.

45. Drescher asserts that in the "social turmoil" of the 1960's and 1970's, "protests" prompted organized psychiatry to "scientifically" "reassess the pathologizing of homosexuality" and that "as a result, in 1973, the American Psychiatric Association (APA) removed homosexuality from the list of mental disorders in the Diagnostic and Statistical Manual of Mental Disorders (DSM)." Drescher Decl., Para. 6. Drescher affirms this in his 2009 article "Queer Diagnoses":

However, the most significant catalyst for diagnostic change was **gay activism**. In the wake of the 1969 Stonewall riots in New York City (Duberman, 1994), gay and lesbian activists, believing psychiatric theories to be a major contributor to

antihomosexual social stigma, **disrupted the 1970 and 1971 annual meetings of the APA.** (Emphasis added).

46. Drescher therefore admits that it was disruptive, activist political pressure that caused the APA to remove homosexuality from the DSM. There was no "scientific reassess[ment]" at that time, rather, as Drescher admits, it was because the APA "recognized and accepted some of the social implications of the normal/identity model" (Drescher Decl., Para. 9), in addition to acquiescing to political pressure.

47. Drescher posits that only individuals seeking to escape "stigma" or "whose religious beliefs condemn homosexuality" seek to reduce or eliminate their same-sex attractions, while ignoring other valid reasons for doing so, such as avoiding being one of the 94.9% of new HIV diagnoses, which are situated in the 13-19 year old age bracket. As shown by the CDC (Centers for Disease Control and Prevention) online slide presentation "HIV Surveillance in Adolescents and Young Adults"^[1]—breaking down the incidence of HIV among young men ages 13-24. In 2011, at a nearly 95 percent (conservatively) of HIV diagnoses among teenage boys (13-19-years-old) were linked to homosexual ("male-to-male") sex. And 94.1 percent of the cases among young men ages 20-24 (more analysis follows graphic) were from "gay" sex.

48. Drescher admits that moral value judgments on homosexuality as normal and normative in the form of "non-discrimination policies adopted by the various professional organizations" (and with no scientific basis) preceded "mainstream professional organizations issu[ing] recommendations and position papers that SOCE therapy not be practiced" (again, with no scientific basis). As a result, he posits that SOCE therapists nevertheless continuing to practice as such are "outside the mental health mainstream" and therefore illegitimate. Drescher Decl., Para. 14.

49. In Drescher Decl., Para. 19, Drescher makes the breathtaking claim that "SOCE has as its underpinning verbal misrepresentations about human sexual development," again placing at issue the question of "what is truth?" and "how do we know what we know?" Contrary to Drescher's claim, we know that the entire "mainstream" understanding of human sexuality - the edifice upon which Drescher's life's work (and very identity as an out male homosexual) is founded - is based upon the fraudulent studies created by Kinsey, a certifiable criminal sexual psychopath, and is therefore invalid. Reisman, *Sexual Sabotage*. Legislation such as A3371 seeking to silence the non-Kinseyan understanding of science is likewise invalid.

50. Drescher states that "minors are particularly at risk of harm from SOCE due to their emotional and cognitive vulnerability. The scientific data confirm the undeveloped teenage brain until roughly age 21 to 25 hence children should not be exposed to sexual scenarios, whether masqued as "AIDS education," "diversity," "homophobic re-education" or "entertainment.: They have limited capacity to participate in decision-making regarding their own treatment, and don't have the legal capacity for informed consent." Drescher Decl., Para. 23. Yet, Drescher is immediate past president of GAP, which as set forth above, took the position that in regard to "persons" (not *children*) under age 7, "stamped as minors," "many are by **endowment** and **training** fully capable of part or exceptionally even full responsibility for sexual behavior....in the later age levels the legal concepts of rape and of contributing to delinquency become increasingly untenable." Psychiatrist, Manfred Guttmacher, *Psychiatrically Deviated Sex Offenders - Age Disparity (Relations Involving One Adult)*, Report No. 9, Committee on Forensic Psychiatry of the Group for the Advancement of Psychiatry, February, 1950. No repudiation of that paper has issued from GAP.

51. "Relations Involving One Adult" figure heavily into the creation of homosexual attractions. In *The Advocate* report by Reisman and Johnson, "21% of adult homosexual Advocate readers/survey respondents admitted that that they were sexually abused by adults while under age 15."²⁴ Moreover, the CDC Data on "[F]irst sexual intercourse before age 13 years," found in the 2001-2009 "Survey on Sexual Identity," with its alarming findings of 15% admitted higher rates of "gay or lesbian" early sexual trauma—*before 13-years-old*—as well as its child rape and "dating violence" data, show that among all categories of "youth," heterosexual youth had the lowest percentage of those who had their "first sexual intercourse before age 13" i.e., had been subjected to child rape: 5% for Heterosexual, **20% for Gay or Lesbian**, 15% for Bisexual, and 13% for Not Sure. As can be said for "Gay," "Lesbian" or "Bisexual" youth "Not sure" in particular implies one is "questioning," and in any event, a child is "queer or questioning" because one is sexually confused.

52. In regard to the CDC data on the prevalence of early childhood sexual abuse as a contributing factor to a homosexual identification, and in regard to *The Advocate's* self-reporting data of early childhood sexual abuse, momentarily consider that pre-90s bi/homosexual child imagery was more candid than today. *The Advocate*, as the mainline homosexist publication, contained numerous articles, illustrations, and advertisements catering to open pederasty (*See, e.g.*, the long-running advertisement for a "Penetrable Boy Doll"), and even including as its "mascot" the "playful character" by the artist "Toby" (Fred Bluth). The character's face, eyes, nose, lips, and cheeks are those of an innocent, sweet young boy, roughly 10-years-old, blended into and onto a muscular adult body, complete, in at least one iteration, with subliminal phallus and ejaculate.²⁵ The "Toby" character "adorned the offices of *The*

²⁴ Judith Reisman and Charles Johnson, *Partner Solicitation as a Reflection of Male Sexual Orientation* (1991).

²⁵ See "Toby" at <http://www.drjudithreisman.com/archives/regent.pdf> on pg. 296 of Judith Reisman, "Crafting Bi/Homosexual Youth," 14 Regent U. L. Rev. 283 (2001-2002), Vol. 14-283.

Advocate during its first years of publication. It was affectionately seen as the magazine's mascot."²⁶ This character by "Toby" is also identified in *Long Road to Freedom: The Advocate History of the Gay and Lesbian Movement* as *The Advocate's* "unofficial mascot during its early years."²⁷ The sexually exploitative pose arguably demonstrates "the national gay & lesbian news magazine's" view of early sex with boys.²⁸ Images are the "language" of intent.²⁹

53. Likewise, the cartoon Boy Scout is the official mascot for "Straight Arrow Publications" edition of *The Queens' Vernacular*,³⁰ written by homophile language anthropologist Bruce Rodgers. The first mainstream dictionary for the homosexual movement in 1972, it was republished in 1979 as [G]ay [T]alk.³¹ Its 12,000 words include 254 words illustrating sex with boys—generically referred to as "chicken." Some examples; "ready to crack," "pluck some feathers," "chicken dinner," "butchered chicken," etc. A "boy-scout queen," "pretends to snooze as he is [expletive] or [expletive]."³² Language is culture and intent.

54. So, while the American Psychiatric Association determined "no specific psychosocial or family dynamic cause for homosexuality has been identified, including histories of childhood sexual abuse" the open seduction and desire for young boys in the movement media belies that claim.

55. Nevertheless, in spite of these serious shortcomings and credibility issues in his declaration, Drescher concludes that minors should be helped to "tolerate the feelings that emerge during the process of exploring possible sexual identities" (Drescher Decl., Para. 28.),

²⁶ Fred "Toby" Bluth, Illustrator, available at http://www.affirmation.org/history/toby_bluth.shtml (last visited September 18, 2013).

²⁷ LONG ROAD TO FREEDOM: ADVOCATE HISTORY OF THE GAY AND LESBIAN, MOVEMENT 17-21, 84, 263 (Mark Thompson ed., 1994). at xix

²⁸ See Judith Reisman, "Crafting Bi/Homosexual Youth" for more detail, but as is discussed in this report one major marker is early sexual abuse, commonly "same sex" but heterosexual abuse is also implicated, 14 Regent U. L. Rev. 283 (2001-2002), Vol.14-283.

²⁹ John Berger, *Ways of Seeing*, the British Broadcasting Corporation, London, England, 1977.

³⁰ BRUCE RODGERS, *THE QUEENS' VERNACULAR* (1972).

³¹ BRUCE RODGERS: [G]AY [T]ALK, A PARAGON BOOK (1979).

³² RODGERS, *supra* note 76, at 90

rather than encouraging impressionable children to seek the outcome consistent with their religious, rational, and moral beliefs, and one which does not expose them to the documented harms inherent in exposure to sexuality, and especially that of a homosexual lifestyle.

Declaration of Davies

56. Dr. Davies cites to the American Psychological Association (APA) 2009 Task Force for why “attempts to change sexual orientation may cause or exacerbate distress and poor mental health in some individuals, including depression and suicidal thoughts.” Yet, Dr. Davies, trained as a child specialist, admits that early sexual abuse is causal in depression, substance abuse, bulimia, posttraumatic stress, disassociation and other problems like hypersexuality. Unfortunately, common sense and hard data find homo/hetero/bi/trans, etc., sex confusion as common in early sex abuse. The research of the US Department of Justice, as well as that of the Centers for Disease Control do so as well.

57. The US Department of Justice statistics document 64% of our forcible sodomy victims as boys under age 18 and indeed under age 12. The United States Department of Justice, Criminal Victimization 2000 finds 14,700 male victims of "Rape or sexual assault."³³ This leads to massive sexual confusion.

58. Davies cites to “Recommendations for Promoting the Health and Well-Being of Lesbian, Gay, Bisexual, and Transgender Adolescents: A Position Paper of the Society for Adolescent Health and Medicine," 52 JOURNAL OF ADOLESCENT HEALTH 506, 509 (2013), for the proposition that "reparative therapy is an unsubstantiated and harmful option, it should not be considered or recommended for teenagers who are dealing with issues surrounding their sexual orientation or gender identity." Davies Decl., Para. 18.

59. This citation and assertion in turn requires some discussion of what protocols Davies *would* recommend for confused children - that a therapist "provide supportive counseling to promote self-acceptance" of a homosexual or transgender identity. This is course is consistent with the long accepted “Harry Benjamin Standards of Care” for sexually confused children. The Harry Benjamin Standards of

³³ Department Of Justice, National Crime Victimization Survey: Changes 1999-2000, Trends 1993-2000, At 8 (2001).

Care are a reference tool cited by health care professionals considering medical transition for their clients/patients, but they are recommendations, not requirements. However Dr. Benjamin's expertise and credibility—as that of his followers (such as those listed as authorities in Davies' Declaration) is less than viable due to Benjamin's glowing preface to French pedophile Rene Guyon's fraudulent book, *The Ethics of Sexual Acts*. Here, Guyon advocated raw sex abuse of children, often quoted as, "Sex Before Eight or it's Too Late." Guyon's book was published collaboratively with his colleague, Alfred Kinsey whose tome *Sexual Behavior in the Human Male* was released a few months prior, which in turn was extensively quoted by Guyon.³⁴

60. Recently Benjamin was morphed into "The World Professional Association for Transgender Health (WPATH)." It self-identifies as "formerly known as the (Harry Benjamin International Gender Dysphoria Association, HBGDA)." Yet, since Benjamin remains on record supporting the pedophile movement, and "Sex Before Eight or It's Too Late," the organization formerly bearing his name remains allied with Benjamin in closet pedophilic deviance

61. With ideological and professional forbears such as this, Dr. Davies has no credibility in her remonstrance against SOCE therapy.

Declaration of Bayer

62. Mr. Bayer includes nothing of substance in his Declaration, but states that he is "fully familiar with the facts set forth herein." Bayer Decl., Para. 1. He makes mention of witness slips from the "NJ Assembly Women & Children Committee Hearing on A3371" attached to his declaration, along with letters from members of the public. Bayer Decl., Paras. 2-6.

63. The New Jersey Assembly Women & Children Committee Hearing on A3371, as well as the New Jersey legislature's ultimate passage of A3371 are not the first time the State of New Jersey has acted in opposition to the interests of minors and women, in the form of weakening

³⁴ Also see Leah Cahan Schaefer & Connie Christine Wheeler, Harry Benjamin's First Ten Cases (1938-1953): A Clinical Historical Note, 24 Archives of Sexual Behavior 83 (1995).

child protection laws. Post-1950, New Jersey has favored child sex offenders over her child sex victims. Based upon Kinsey's fraudulent data then (as the basis for the legislative bias toward predators beginning in 1949 via "The New Jersey Commission on the Habitual Sex Offender," as well as being the basis for the Model Penal Code). *See* Exhibit B, The ALEC Report, Pg. 9. The passage of A3371 is one step further, in that not only will the State of New Jersey decline to protect with stiff penalties the safety of women and children, it will now prohibit the restoration of children who have been violated by sexual predators, when those children experience unwanted same-sex attractions as a result of that abuse.

Declaration of Herek

64. With his statement that "sexual orientation ranges along a continuum from exclusively heterosexual to exclusively homosexual" (Herek Decl., Para. 8.), the hoary "Kinsey scale" makes an appearance. We are to take at face value the claim that "everyone has a bit of homosexuality," a claim brought to us by the same man that brought us "infant orgasms" - reporting child sexual tortures—as infant and child “orgasms” in his Tables, and on pages 160 and 161 of *Male* in which he testified that 196 boy infants and children, under age 12, had 6 “types” of “orgasms,” including terror, screaming, and fainting. *See* Exhibit C.

65. Further, in Paragraph 11, Herek falsely states that the mid-1950s view of homosexuality as mental illness reflected "untested assumptions based on then-prevalent social norms as well as clinical impressions drawn from unrepresentative samples of patients seeking therapy and individuals whose conduct brought them into the criminal justice system." "Once researchers began using the scientific method with samples of non-patient, nonincarcerated individuals to empirically test the belief that homosexuality is an illness, evidence accumulated that many homosexuals were psychologically healthy and that homosexuals as a group did not differ

substantially from comparable heterosexuals in their levels of psychological functioning." Herek Decl., Para. 11. In actuality, Kinsey was the researcher who used "unrepresentative samples of ... individuals whose conduct brought them into the criminal justice system" precisely to challenge prevailing assumptions with false and fabricated data. *See* Exhibit B.

66. Herek repeats the mistruth of "empirical evidence" that homosexuality is normal, and cites to "changing views of sexuality and gender in the larger culture" as rationales for the 1973 APA political decision to remove homosexuality from the DSM. Herek Decl., Para. 12. In actuality, disruptive, harassing, violent protests by homosexual activists interrupting the civil discourse of the APA at its annual meetings were prime motivating factors for its removal, not "empirical evidence." The APA capitulated.³⁵

67. Herek states the APA's agnostic view of the nature and causes of homosexuality: that the "factors that cause an individual to become heterosexual, homosexual, or bisexual are not currently well understood." Herek Decl., Para. 14. There is a reason for this: Dr. John Gagnon, as described above (and cited with approval by Drescher), tasked sex researchers with specifically avoiding scientific inquiry into the pathology of homosexuality, stating:

*[Do not collect data which would] locate the origins of [homosexual] desires ... Attempts to placate the oppressors will only invite further persecution. The source of freedom in everyday life for gay men and lesbians is continued vigilance and practical political action.*³⁶

68. More modernly, one of Gagnon's ideological descendants on the APA's Lesbian, Gay and Bisexual Concerns Office, Clinton Anderson, stated: "We cannot take into account what are fundamentally negative religious perceptions of homosexuality—they don't fit into our world view" (Carey, 2007).

³⁵ Declaration of Jack Drescher CV, "Queer Diagnoses: Parallels and Contrasts in the History of Homosexuality, Gender Variance, and the Diagnostic and Statistical Manual," 2009.

³⁶ Gagnon, John, *The Journal of Sex Research*. February 1987, p. 124.

69. Herek discusses "stigma" in the sense that it is "socially constructed, [and] it can change over time as social norms and mores change." Herek Decl., Para. 16. Herek further states that sexual stigma is "shared knowledge about the negative regard, inferior status, and relative powerlessness that society collectively accords to nonheterosexual behaviors, attractions, identity, relationships, and communities." Herek Decl., Para. 17. In his analysis of "stigma," Herek fails to mention the documented rates of abuse, disease, suicide, and other deleterious effects not stemming from "societal disapproval," but from the behaviors inherent in certain homosexual practices and behaviors. Laws and societal mores discouraging risky, unhealthy, and harmful behaviors are a good thing, and are woven throughout our culture. *See* Exhibit B.

70. Assuming, arguendo, that "sexual stigma is a source of stress" and manifests itself through "heightened psychological distress among...adolescents" (Herek Decl., Para. 19), Herek (and A3371) ignore perfectly legitimate methods of resolving that distress in a manner consistent with a minor's religious beliefs. If anything, Herek's statements on "stigma-as-stress" shows that the distress these individuals may feel is not related entirely (or at all) toward SOCE, and moreover, A3371 mandates only one form of counseling, and one that may in fact create more stress by being in opposition to a minor's sincerely (and strongly-held) rational, moral, and religious beliefs.

71. In attacking SOCE, Herek discusses the inherent unreliability of self-reports on sexual attraction, as well as the infeasibility of "[o]btaining reliable reports from an objective, third-party observer" (Herek Decl., Para. 32, FN 33), all of which apply to Kinsey's methods and subsequent work product. Kinsey was anything but an "objective...observer," but was a closet sexual psychopath, hence all laws and public policies now reflect his sexual pathologies. As a pornographically addicted, sadomasochist, bi/homosexual pedophile Kinsey could not (and did

not) produce legitimate data on "normal" human sexual behavior. Kinsey had a personal need to change sex laws in the 1950s into the laws he needed. As the law was, it criminalized his sexual behaviors. Thus, Kinsey assembled a like-minded cohort to produce his desired results, fabricating and discarding undesired data. He "forced" answers from subjects. He took sex "histories" from persons wildly aberrant: homosexuals, sadomasochists, petty and major criminals, prostitutes, pimps, pedophiles, draft dodgers, drunkards, and prisoners. He used this collection of sexual deviants to fabricate conclusions about the mores of normal society. Most important, Kinsey's "research" protocol involved the criminal sexual torture of infants and children to establish children as "sexual from birth." (See Exhibit C, Table 34 in Appendix A).

72. Herek discusses negative reports about SOCE derived from "questionnaire studies, clinical case studies, and anecdotal reports rather than controlled experiments" which "are important because they raise serious questions about whether SOCE may be harmful to many who undergo it." Herek Decl., Para. 40. Judged by this standard, documented proof of scientific fraud and crimes against children by Alfred Kinsey "raise serious questions" about the entire construct of the field of sexology, and therefore, A3371 insofar as it is based upon the testimony of Herek and the other so-called experts.

73. Herek concludes by returning to the Kinsey-scale-based assertion that "homosexuality is a normal expression of human sexuality" and attributes distress in individuals' lives to "stigma" (Herek Decl., Para. 45).

Declaration of Haldeman

74. In Paragraph 8, Haldeman makes a moral judgment cloaked in the language of "science" that the "belief that homosexual orientation is undesirable" is "unscientific." Haldeman Decl., Para. 8. Science cannot answer moral questions. It can tell us what "is," but not what "ought to

be." It can inform our moral decisions, but it cannot make them for us, and where it is faulty "science," it does society a great disservice. *See* Reisman, *Stolen Innocence*. Regardless of Haldeman's faulty moral judgment here, there is ample evidence to the undesirability of a homosexual orientation. Note the 2011 CDC study "HIV Surveillance in Adolescents and Young Adults" showing that greater than 94% of newly-reported HIV infections in youths ages 13-19 occur from male-to-male sexual activity.

75. Haldeman refers to "LGB youth," under a Kinsey-based diagnostic standard, rather than "sexually confused" youth, under a rational standard. Haldeman Decl., Para. 11. Kinseyan scholars have struggled to find a genetic or innate cause of homosexuality, only to find none.

76. Haldeman states that the "harms inflicted on minors ["children"] who are exposed to SOCE therapies may be exacerbated by the fact that an individual's brain tissue in the pre-frontal cortex is still developing and changing rapidly during early adolescence and teenage years. These cellular changes in brain tissue leave the mid-brain (repository of emotional responses) much more vulnerable to the potentially traumatic effects of SOCE." Haldeman Decl., Para. 13. Haldeman is correct that the undeveloped, emerging, youthful brain has special needs, but arrives at the wrong conclusion. Pioneering neurologist A.R. Luria defined the three components of a healthy brain as 1) to be alert, awake, aware of reality; 2) to collect and store environmental data and, 3) to monitor and correct our conduct for health and well-being. The realization that the "Teenage brain [is] a work in progress" underscores how the three tasks of the human brain are compromised by addiction lures for drugs, alcohol, pornography and other sexually explicit content in visual and print media, not to mention actual, physical life experiences. Since youthful brain restructuring is automatic, male sexual behavior (heterosexual or homosexual) is a function of the restructured brain architecture engendered by key stimuli. *See* Reisman, *Restructuring the*

Immature Brain, Report for the The Institute for Media Education & California Protective Parents, Assoc., 2008.

77. In opposition to the claims of Haldeman that minors are "particularly susceptible" to familial and faith "coercion," minors are just as susceptible to the propagandist nature of LGBT materials and imagery with which they are bombarded in schools, media, and other contacts. Turning his statement 180 degrees, "minors may also have difficulty separating what they [think] they want from what [the homosexual community]" tells them they should want, and an "[LGBT lifestyle] may appear to some of these minors to provide a means to gain approval and to conform their identities and behaviors to [homosexual community] expectations and hopes. But minors often do not understand the risks, and may not understand that [resolving root causes through SOCE therapy] could help them feel better and resolve conflicts between their sexual orientation, their family expectations, and, where applicable, their own religious values without risking severe harm [inherent in an LGBT lifestyle]. Haldeman Decl., Para. 14. Haldeman's claim that family and faith is to blame for conflict in teens is disingenuous in the face of a concerted onslaught of New Jersey schools offering grooming material in sex-ed classes; "safe spaces" affirming homosexuality; LGBT propaganda books, posters and media; and pro-homosexual counseling.³⁷ In combination with these, LGBT centers in New Jersey offering approval, a substitute home life, sense of community and adult role models, all seeking to distance confused teens from parents, faith, and other traditional sources of support - it is thus unsurprising to find youth confused about their sexual identities, and thereby, experiencing stress.. See "HIV Surveillance in Adolescents and Young Adults" CDC study regarding greater

³⁷ See p. 17, N.J. Family Policy Council, *Index of Leading Cultural Indicators* (Vol. 3 2002), available at http://www.njfdc.org/wp-content/uploads/2011/11/NJindex01-02_Final.pdf.

than 94% of newly-reported HIV infections in youths ages 13-19 occur from male-to-male sexual activity. *See also* FBI Crimes Against Children Unit testimony of Michael Heimback before United States Senate Subcommittee on Crime, Terrorism, and Homeland Security discussion of child sex "grooming" activity.³⁸

78. Haldeman states that "A competent therapist treating a client with strong religious beliefs assists the client in understanding the source and emotional consequences of any conflicts between experience and belief, and in negotiating a healthy life course in light of accurate knowledge...". Haldeman Decl., Para. 24. Indeed, accurate knowledge is necessary in order to help minors and adults negotiate a "healthy life course." The accuracy of Haldeman's assertions about the nature of homosexuality is at issue. For the record, there is a massive conflict of interest between Haldeman's investment in the validation of his own "out" homosexual lifestyle (which also goes for Drescher), and his ability to be objective and honest with children who are struggling with their sexual confusion.. In contrast with Haldeman's assertion that "minors are often forced into SOCE by their parents who refuse to accept the fact that their child may be lesbian, gay, bisexual, or transgender" (Haldeman Decl., Para. 26.) LGBT advocates and their allies are inducting minors into homosexuality on a massive scale by exposure to sexually explicit imagery and faulty data through a variety of mediums, all of which turns upon the work of Alfred Kinsey. Indeed, the individual (and this court) must be "allowed to make truly informed decisions about...life" based on the totality of the facts. Haldeman Decl., Para. 26.

Conclusion

79. Alfred C. Kinsey (the "father of the sexual revolution," and of the "human sexuality" and sex education fields globally) was directly responsible for the mass sexual torture of between 317 and 2,035

³⁸ <http://www.fbi.gov/news/testimony/supreme-courts-child-pornography-decision>,

children for his books, *Sexual Behavior in the Human Male* (1948) and *Sexual Behavior in the Human Female* (1953). Please note that my book *Sexual Sabotage* includes reproductions of Kinsey's original five child torture Tables 30, 31, 32, 33, 34, beginning on page 25.

80. I republished the Kinsey child Tables from his own books, where he reported these tortures—as infant and child “orgasms” and pages 160 and 161 on which he testified that 196 boy infants and children, under age 12 had 6 “types” of “orgasms,” including terror, screaming, and fainting.

81. Kinsey is documented now as a pornography addict who forced his wife and his “team” to participate in his pornographic films made on campus and in his attic. He is also documented as engaging in masturbatory self-torture so punishing that it did perhaps fatal damage to his sexual organs. It is documented that he abandoned his wife for sex with multiples of males of unknown ages; that his team was expected to practice adultery and homosexuality, that he hired only those “researchers” who shared similar perversions, and most important, that he deliberately employed pedophiles, actually pederasts, including members of the nascent NAMBLA organization, to help gather child sex orgasms, that is, to, under his orders, rape and catalogue children, as young as 2 months of age, using stop watches to record their screams, cries and convulsions. Kinsey defined these responses as child “orgasms.” It is also proven, that he himself collected “ejaculate” from hundreds of young boys, putting him directly at the scene of these violent crimes. The attached Table 34 bears silent witness of the sexual torture of children by the Kinsey team.

82. A compromised foundation compromises the edifice constructed thereon. A poisoned fount poisons the societal (and scientific) stream of consciousness, leading to toxic studies and toxic policy decisions. Kinsey created *fraudulent* homosexual data from his torture of children and his interviews of non-representative, aberrant samples of American society. Kinsey's data are the ideological and psychological ancestor of A3371. Like its source, A3371 seeks to facilitate

the crimes of a new generation of sexual psychopaths who increasingly abuse children. Without Alfred Kinsey and his legions of depraved child-sex advocates, Bayer, Davies, Drescher, Haldeman, and Herek are no experts.

I declare under penalty of perjury of the laws of the United States and New Jersey that the foregoing statements are true and correct.

Executed this 20th day of September, 2013

/s/ Judith Reisman

Judith Gerlernter Reisman, PhD

EXHIBIT A

Curriculum Vitae

Brief Vitae of Judith A. Reisman, PhD

AUTHOR: BOOK PUBLICATIONS

Sexual Sabotage, WND Books, Washington DC, 2010

Kinsey, Crimes & Consequences, The Institute for Media Education, Crestwood, KY, 1998, 2000, 2003, 2011

Partner Solicitation Language as a Reflection of Male Sexual Orientation, with Charles B. Johnson, Ph.D., The Institute For Media Education, Arlington Virginia, 1995

Soft Porn Plays Hardball, Huntington House, Lafayette, LA, 1991

Kinsey, Sex and Fraud, Judith Reisman et al., Huntington House, Lafayette, LA, 1990

Images of Children, Crime and Violence in Playboy, Penthouse, and Hustler
US Dep. Justice Grant No. 84-JN-AX-K007, 1986, 1987, 1989, 1990
DOJ website citation (link opens new window)

EDUCATION

Ph.D. 1980 in Communications, Case Western Reserve University M.A. 1976 in Communications, Case Western Reserve University

ACADEMIC POSITIONS

- Visiting Professor of Law, Liberty University School of Law, 2011
- Adjunct faculty, George Mason University, 1990
- Research Full Professor, The American University, 1983-85
- Asst./Assoc. Prof., (Martze) University of Haifa, Israel, 1981-83

PARTIAL LIST OF INCLUSIONS/CITATIONS TO RESEARCH AND FINDINGS IN BOOKS AND OTHER PUBLICATIONS:

- Savage, M., (2005) *Liberalism is a Mental Disorder*, Nashville, Tennessee, Nelson
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- Kupelian, D., (2005) *The Marketing of EVIL*, Nashville, Tennessee, WND Books, The
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- Wagner, T., (2003) *Back to the Drawing Board*, "The Kinsey Culture: Sex on Demand, Abortion on Demand," South Bend, St. Augustine's Press (chapter)
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-
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- Lederer, Laura (1981) *Take Back the Night*, NYC: Bantam (JAR article/interview)
- Skirball Museum (1974) *A Walk Through the Past*, CA: Hebrew Union College (JAR epic poem)
-

GUEST LECTURER

- Liberty University
- Princeton University
- Georgetown University
- American University
- University of Jerusalem
- University of Haifa
- Rutherford Institute
- Texas Woman's University
- Clarkson College
- Notre Dame University
- University of Kentucky
- Pepperdine University
- Council for National Policy
- Human Life International
- Johns Hopkins University Medical School
- Tel Aviv University
- Accuracy in Academic

- Accuracy in Media
- Concerned Women for America
- Rutherford Institute
- The Abstinence Clearinghouse
- American Society of Criminology
- North Carolina Psychiatric Association
- Israeli Army Air Force Academy, Israel
- International Assoc. of Police Women
- Criminal Division/Executive US Attorney
- NOVA, NCASA, CCAVE, NCTV, NET...
- Federal Bureau of Investigation
- Vice and Police Organizations
- Child Protection Organizations
- United States Air Force Academy, Colorado
- etc.

EXPERT WITNESS: COURT, MILITARY, CIVIC HEARINGS

- Expert Witness: Senate Hearing on "The Science Behind Pornography Addiction"
- Science, Technology and Space Committee, November 18, 2004
- Invited Paper: HR 3300: The Military Honor & Decency Act (Pornography Law) May 1996
- Invited Paper: South Africa Film and Publications Bill of 1995 (Pornography Law) 1995
- Briefed: Selected Lansing Michigan Legislators (Pornography Law) May 1994
- Briefed: Kirkland & Ellis (Re: Oral Argument, United States v. Knox) April 1994
- Briefed: Australian Parliament Standing Committee on Social Issues (Media Effects) 1992, 1994
- Invited Paper: Ontario Human rights Commission (Pornography Effects) 1993
- Invited Paper: Senate Committee on Armed Services (Homosexuality) July 1993
- Briefed: Army Chief of Staff Gordon Sullivan, Senator Malcolm Wallop (Homosexuality in the Military) December 1993
- Invited Paper, Testimony: Presidential Commission on the Assignment of Women in the Armed Forces 1992
- Briefed: Inspector General Roland Griffith (Homosexuality) December 1993
- Expert Research Younger et al., v. Stroh (Federal Court Sex Harassment) 1992
- Testified: Australian Parliament, Senate Select Committee (X & R Rated Effects) April 1992
- Invited Paper: Office of US Surgeon General (Mass Media Harms) March 1992
- Testified: State of Georgia Senate Ed Committee (Kinsey-Sex Ed Curriculum) February 1992
- Testified: Hamilton County Prosecutor's Office: OH (Mapplethorpe Trial) August & October 1990
- Testified: City Council; Newport News, VA (Nude Dancing & Public Order) June 1986
- Invited Paper: US Attorney General Commission on Pornography: NYC (Effects) January 1986
- Testified: US Attorney General Commission on Pornography; Miami (Effects) November 1985

- Invited Paper: US Attorney general Task Force, Domestic Violence: DC (Effects) August 1985
- Testified: Michigan State Senate Juvenile Justice, Corrections: MI (Effects) October 1980

SELECTED GRANTS/POSITIONS

- Bureau of Justice Assistance, US Department of Justice: Grant Reviewer, "Reducing Community Gun Violence" 2002
- Bureau of Justice Assistance, US Department of Justice: Grant Reviewer, Evaluation of Child Protection Proposals, 1991
- HHS: Administrator for Children, Youth, and Families: Grant Reviewer 1991
- Eastern Division Vice Investigators Association: Inservice Trainer 1987-89
- HHS Dept. of Substance Abuse Prevention: Research Paper 1989
- Skaggs Foundation: Visual Literacy Training Grant 1987-89
- Department of Education: "Drug Free Schools" Grant Reviewer 1987
- Department of Education: "Drug Free Videos" Grant Reviewer 1985
- Georgetown Pediatrics Department: Inservice Training Seminars Grand Rounds 1984
- FBI Academy: Erotica/Pornography Effects: Inservice Training Seminar/Video 1983
- OJJDP Missing Children - Serial Murder Task Force: Inservice Trainer 1983-85
- DOJ Office of Juvenile Justice: Principal Investigator, Pornography, Media Research 1983-94
- Israel Science Ministry Department of Sex Education: Kinsey and Inservice trainer, Media 1980-83
- Scholastics Magazine, NYC: Art & Education Writer, Producer 1970-80
- Milwaukee Public Museum: Art/Anthropology Television Writer, Producer 1970s
- Cleveland Museum of Art: Art/Head Start, Education Videos/Captain Kangaroo 1970s
- Los Angeles Skirball Museum: History/Archeology Educational Videos 1966-81
- Captain Kangaroo CBSTV: Segment Producer, Performance Artist 1976-1982

PAST/PRESENT ADVISORY BOARD MEMBER

Science Adviser, California Protective Parents Association
Science Adviser, Education Task Force, SubCommittee on Science Fraud in the Classroom, for The American Legislative Exchange Council (ALEC)
Founder, Institute of Media Education and the Family, Israel
Bereaved Parents Association (Juvenile autoerotic deaths), AZ
Paul & Lisa, Inc. (Child prostitute rescue organization), CT
Accuracy in Academia, Washington, D.C.

SELECTED JOURNAL ARTICLES

- *Regent University Law Review* 2002
- *International Journal of Politics, Culture, and Society*, (Netherlands) 1992 (cite)
- *The Journal of Human Sexuality* (Lewis & Stanley) 1996
- *Law & Justice: The Christian Law Review* (UK) 1995
- *Collected Papers from the National Association for Research & Therapy of Homosexuality Conference* (NARTH) July 1995
- *Ethnology and Sociobiology* (USA) 1984

- *New Universities Quarterly: Culture, Education, and Society* (UK) 1981
- *Journal of Educational Thought and Practice in Collective Settlements* (Israel) 1983
- *New York University Review of Law and Social Change* (USA) 1978-79
- *Women Speaking* (UK) July-September 1978
- "A Walk Through the Past," Los Angeles Skirball Museum, (Hebrew Union College) 1974

PAST/PRESENT SELECTED MEMBERSHIPS

- Distinguished Senior Fellow, The Inter-American Institute
- Women in Neuroscience
- The American Statistical Association
- The Society for the Advancement of Sexual Health
- Western Society of Criminology
- National Association of Scholars
- National Council on Family Relations
- American Public Health Association
- The New York Academy of Sciences
- The International Communication Associations
- The National Black Child Development Institute Research
- Council on Ethnopsychology
- The Society for the Scientific Study of Sex
- American Society of Composers, Authors and Publishers
- The World Association of Infant Psychiatry & Allied Disciplines
- American Association for the Advancement of Science
- National Association for Research & Therapy of Homosexuality (Fellow)

MEDIA/PRESS CITATIONS AND APPEARANCES

- *Ted Baehr Movieguide*
- *The American Spectator*
- *The Weekly Standard*
- *Fidelity - The Australian*
- *The London Times*
- *TIME*
- *New Dimensions*
- *The Los Angeles Times*
- ***Reader's Digest, April 1997***
- *The Lancet (British Medical Journal)*
- *International German Medical tribune - Science*
- *The Scientist*
- *Archives of Sexual Behavior*
- *The (British Physicians) Quarterly*
- *Newsweek*
- *700 Club, CBN NBC, ABC, CBS, PBS,*
- *The Washington Post*
- ***The National Review, May 19, 1997 "Cover Story"***
- *German Arts Television*

- *Dutch Television - Faith Daniels (NBC)*
- *Entertainment Tonight*
- *O'Reilly - Jenny Jones*
- *BBC, Great Britain*
- *The Washington Times*
- *Larry King Live*
- *Donahue*
- *The Today Show*
- *People are Talking*
- *Sally Jesse Raphael*
- *Crier & Crier*
- *Crossfire, CNN*
- *The Princeton Peninsula*
- *The New York Times*
- *D. James Kennedy*

SELECTED MEDIA CO-AWARDS

Learning Magazine, Best Filmstrip of Year, w/ Scholastics 1981-82
US Industrial Film Festival Gold Camera w/ Scholastics 1982
Dukane Award Outstanding Creative Sound Films w/ Scholastics 1982
US Industrial Film Festival Silver Camera w/ Scholastics 1982
ACT Award Children Music w/CBSTV Captain Kangaroo 1976-79
1st Place Local PSA/TV series w/ Jewish Family Service Assoc. 1974

SELECTED PAST/PRESENT HONORS

"Guardian of the Light Award" The Lighted Candle Society, 2006
"Research Award" The Abstinence Clearinghouse, 2005
"Protector of Children" Citizens for Families, 2005
Nomination by the US Dpt of Defense Inspector General, 2003 (link opens new window)
Interview at Awards ceremony with *Brother Watch*, 2003 (link opens new window)
"Save Our Children Scientist Of The Year For 1993," The Save Our Children National Alliance

- Who's Who in Science and Engineering
- The World Who's Who of Women
- Who's Who of American Women
- International Who's Who in Education
- International Who's Who in Sexology
- Two Thousand Notable Americans
- International Book of Honor

WORLDWIDE COURTS AND LEGISLATURES PRESENCE

Past Consultant: California Judicial Investigative Task Force, **American Legislative Exchange Council** (ALEC) on Sex Science Fraud (see also: THE ALEC REPORT)

US Senate, Washington DC: **US Senate Committee on Commerce, Science and Transportation**, *The Science Behind Pornography Addiction* - November 18, 2004

Description: Dr. Reisman provided expert testimony examining brain science related to pornography addiction and the effects of such addiction on families and communities.

INTERNATIONALLY

THE NETHERLANDS, October 1994: Amsterdam District Court Judge, Mr. U.W. Bentinck, ruled against Playboy's demands for retractions and reparations following Dr. Reisman's appearance in a Dutch public tv broadcast, in which results from Reisman's DOJ study *Images of Children, Crime and Violence in Playboy, Penthouse and Hustler* were discussed.

SOUTH AFRICA, October 2003: The South African Constitutional Court relied upon Dr. Reisman's research on the impact of pornography on brain, mind, memory in its decision to halt legal leeway for the distribution of child pornography in South Africa.

SOUTH AFRICA, 1995: The Office of the Attorney General thanks Dr. Reisman for "your knowledge and your expertise.... your assistance in saving this nation from a potential disaster.... we have achieved a major victory on the pornography front.... which would not have been possible without the aid of your expert knowledge, books, videos and articles." Dr. Reisman's testimony on the ways graphic, antisocial imagery reconfigures brain, mind and memory helped pass **The Film and Publications Bill of 1995**, by an overwhelming majority of 300 votes, prohibiting child pornography in any form (written, visual, cartoon, "artistic" or pseudo), and prohibiting current types of "adult" pornography.

AUSTRALIA, Parliament 1994 and 1992: Following her April 6, 1992 invited testimony and report on pornography and the harm factor to the Senate Select Committee on Community Standards, Parliament banned "X" Rated materials from pay cable TV, while her March 1994 research paper aided Parliament's decision, based on harm, to similarly ban "R" Rated materials from pay cable TV.

CANADA, Supreme Court 1992: Dr. Reisman provided briefing materials on pornography and harm, aiding the Canadian Supreme Court's unanimous decision February 27, 1992 to ban all pornography as "obscene" as it undermines equality by degrading, subjugating and dehumanizing women. Subsequently, in 1993, Dr. Reisman was tasked by the Ontario Human Rights Commission to produce a research paper, "Pornography in Neighborhood Convenience Stores: Neurochemical Effects on Women," for a pornography case challenging the new law-- results pending

NEW ZEALAND, Tribunal 1991 and 1989: Dr. Reisman's research was delivered by-proxy via Dr. John Court to the New Zealand Pornography Commission investigations in 1989. She was again asked for, and delivered, written testimony to the New Zealand Indecency Tribunal in 1991.

ISRAEL, Knesset 1982: Dr. Reisman founded a media monitoring, non-profit foundation in Israel, funded by private and public sources that have presented findings on Israeli media to the Knesset and throughout Israel. At minimum, major corrections and improvements were made in controlling advertisements, largely due to Dr. Reisman's data collection, cadre training, and public dissemination of information.

THE UNITED STATES SUPREME COURT

MASSACHUSETTS, 1989: *Oakes v. Massachusetts*, 491 U.S. 576 (1989). Massachusetts Attorney General, James Shannon cited Dr. Reisman's DOJ, Juvenile Justice and Delinquency Prevention study in this successful brief and in oral appeal to the U.S. Supreme Court. Shannon wrote (1/8/90):

I contacted Dr. Reisman in connection with an important child pornography case, *Massachusetts v. Oakes*...that I argued in the United States Supreme Court in January 1989...I had to convince the court that both nude and sexually explicit photographs of children were exploitive and harmful. To make the point, I quoted Dr. Reisman's study, "Images of Children, Crime and Violence in *Playboy*, *Penthouse*, and *Hustler* Magazines," in which she showed that sexually exploitive photographs of children condone and promote a distorted view of sexuality, often by pairing...sexuality and violence, or depicting children as desiring sexual activity with adults.

OHIO, 1989: *Osborne v. Ohio*, 495 U.S. 103 (1990). Amici cited "Neurochemical Evidence Shows That People React Differently To Pictures Than They Do To Words Raising New First Amendment Considerations" and thanks "Dr. Judith Reisman for her valuable development of this concept" (:23) and, "J. Reisman's New York Review of Law and Social Change," (1979) where she addressed media, science and civil rights.

On behalf of the Amici in *Osborne v. Ohio*.... thanks for your invaluable assistance rendered to us in researching and writing this brief. Your ideas on how the visual images effect people substantially more than the written word is indeed a new concept and could have many significant ramifications in the area of the First Amendment. If in fact the court and legislatures do believe that visual images, specifically of sexual, sexually violent and violent material, will have a greater impact on people in general and children in particular, there may be justification for more strict legislation in these areas than would apply to the written material. Moreover, under a First Amendment analysis, since the harm is greater, there would be more of a compelling state interest to have stricter laws. (H. Robert Showers, 10/12/89).

USA LOWER COURTS

Crawford v. Lungren, 96 F.3d 380 (9th Cir. 1996). The U.S. Court of Appeals for the Ninth Circuit upheld the right of California's news rack laws to protect minors in support of Amici

arguments by the National Law Center for Children and Families. Amici cited to Reisman's Canadian paper, "Pornography in Neighborhood Convenience Stores: Neurochemical Effects on Women," that "Images reach the brain more quickly than print" (:15).

Steffan v. Cheney, 780 F.Supp. 1 (D.D.C. 1991), *aff'd by Steffan v. Perry*, 41 F.3d 677 (D.C. Cir. 1994). The U.S. States Court of Appeals for the District of Columbia Circuit. The lower court in 1991, under Judge Oliver Gash, cited Reisman's book in rejecting Steffan's military reinstatement. To answer Steffan's appeal, in 1994, Colonel Ronald Ray Esq., Ret., and Reisman filed an Amicus brief on behalf of the Naval Aviation Foundation in support of the Department of Defense ruling, that homosexuality and sexual conduct are inseparable. General P.X. Kelley, former member of the Joint Chiefs of Staff, and Commandant of The Marine Corps, wrote Reisman's "groundbreaking work in *Kinsey, Sex & Fraud*," (October 5, 1994) was needed in the Steffan case. We won.

United States v. Knox, 32 F.3d 733 (3d Cir. 1994). The U.S. Court of Appeals for the Third District, ruled in support of arguments presented in the Institute for Media Education Amicus and Arnold & Porter written with Colonel Ron Ray and Randall Shaheen, citing Reisman's research on images and for OJJDP, to protect children from use in child pornography.

TEXAS, 1993: Despite obstructions, the Court's successful use of Dr. Reisman's findings continues. A Texas prosecutor wrote the following:

As a prosecuting attorney, I have tried approximately 35 obscenity jury trials in which the defense has called a sociologist as an expert witness on community standards. Your book, *Kinsey, Sex and Fraud*, has proven invaluable on cross-examination. This sociologist studied at the Kinsey Institute and bases a lot of expert opinions on his studies at that institute. To be able to point out to the jury the fraud that Alfred Kinsey and his institute have perpetrated is a very effective tool... I encourage you to continue your work in this area to point out to the public the frauds sociology and psychology have given us (March 8, 1993).

Ohio v. Contemporary Arts Center, 735 F. Supp. 743 (S.D. Ohio 1990) *Mapplethorpe art trial; obscenity*. Judge of the Hamilton County Municipal Court entered upon the premises of CAC and videotaped each photograph on display. The presiding judge rules in agreement with Dr. Reisman's expert testimony re: what was Mapplethorpe's artistic "whole" to be viewed by the jury. Judge David J. Albanese cites directly from Reisman's definition of what "an image" is and how the image works on viewers.

"The Court finds that each photograph has a separate identity; each photograph has a visual and unique image permanently recorded."

-- *The Washington Post*, September 7, 1990, p. B5

Frank Prouty, the State prosecutor writes: As you know, the State filed a Motion in Limine regarding what constituted the "whole" as that issue related to the Mapplethorpe exhibit. Your testimony was critical to the Motion, and your testimony ensured a favorable ruling for the State... The issues and interpretation you presented concerning the child photographs and the remaining photographs substantiated the prosecution's view... The perspective you established was both concise and persuasive, and should be considered in any interpretation of pornography and its affect in both children and adults (March 4, 1991).

CALIFORNIA, 1989: Ventura County Superior Court cites Reisman's research to convict child pornography *Hustler* cartoonist, Dwaine Tinsley. Mr. Hardy indicated that your report [Dr. Reisman's "Images of Children, Crime and Violence"] was extremely helpful throughout the prosecution of the Tinsley case. Mr. Hardy used the report as a reference source for putting together his closing arguments, and for his cross examination... Mr. Hardy considers your report to be a great piece of work, and has recommended the report ... to the National Association of District Attorneys ... your report ... was a great help in the prosecution of this case (March 28, 1989).

Dr. Reisman has been successfully consulted on sexual harassment in the Minnesota workplace; on a mother's rights to child custody from an AIDS father in Kentucky; in testimony before the Attorney General's Commission on pornography; on homosexual versus parents rights in a Connecticut classroom on fraudulent sex education in Falmouth schools. She is currently consultant for a first amendment versus parental rights case involving one government school, in a second school versus parents' case involving subversion of parents to provide contraception to minors and a third case involving sexual harassment in the workplace.

LEGISLATION

WASHINGTON, D.C., December 1995: HR 2749, The Child Protection and Ethics in Education Act, is introduced. A Bill to determine if Alfred Kinsey's *Sexual Behavior in the Human Male* and/or *Sexual Behavior in the Human Female* are the result of any fraud or criminal wrongdoing: 41 co-sponsors; carried over to 1997-1998 legislature to investigate the Kinsey data. This Bill is the culmination of Dr. Reisman's 20-years of research and advocacy for children. A Senate hearing waits in the wings.

MINNESOTA, 1993: After a last-minute briefing and presentation of pedophile exhibits by Dr. Reisman to Minnesota legislators, "affectional orientation" language, which allows children to be in legal sexual relationships with adults, is removed from two pending Minnesota laws.

GEORGIA, 1992: Heeding Dr. Reisman's exhibits and expert testimony on February 13, 1992, the State of Georgia House Education Subcommittee terminates Georgia's then mandated sex education curriculum due to its false, Kinseyan database. The educator who organized the legislative event credits Reisman's data, additionally, with the overwhelming legislative defeat of

the homosexual/sex education lobby, by a house vote of 150-1 and a Senate vote of 48-6. The legislature prohibits teaching youths illegal behavior such as sodomy, adultery, and fornication. (C. Weatherly, Education Analysis & Research Systems, June 11, 1992).

WASHINGTON, D.C., 1991: Congressman William E. Danneymeyer cites Dr. Reisman's Kinsey fraud findings in a floor debate, which helped sway cancellation of a proposed \$18 million dollar teen-sex survey (TIME, August 5, 1991: 27), viewed by the national sex-education monopoly as a major defeat in their efforts to modify American youth.

VIRGINIA, 1986: Dr. Peter Anderson wrote: "The City Council voted 7-0 in favor of banning topless dancing ... due to Dr. Reisman's knowledge of the material and her ability to present it in such a clear and concise manner. I encourage anyone to have Dr. Reisman address either their citizens or community leaders if they need help in fighting pornography in the local community". (June 1986).

MICHIGAN, circa 1980: Testimony to the Michigan State Senate Juvenile Justice Corrections, to aid decision-making on pornography harms.

MISCELLANEOUS USA

ILLINOIS, 1994: As an expert on "Cultural Diversity," Dr. Reisman's presentation of evidence, citing to the use of Kinsey's findings in the planned curriculum, successfully aided parents in eliminating a \$600,000 mandated Diversity program in Springfield, Illinois schools.

MISSOURI, 1988: Missouri Department of Corrections. A Corrections psychologist writes that a group formed to study eliminating Playboy, Penthouse, and Hustler, and all other pornography from the prison system. A call to Missouri corrections finds all pornography but Playboy banned. "Two males within the administrative structure, who reportedly saw no problem with pornography within our system, were greatly swayed in favor of its removal once they read your report... [One] often attempted to sway policy toward allowing pornography to pacify inmates. He now is a member of our committee to halt and ban incoming pornography. Yours was the only report he read." (10/26/88)

COVER STORY in *The National Review*, MAY 19, 1997 "Mortal Sins": "The sexual revolution was based on a lie. Judith Reisman has spent thirty years uncovering the truth," by Tom Bethell [and] featured in the Reader's Digest, (4/97), "Sex, Lies and the Kinsey Report."

Comments on Dr. Reisman and her work

Dr. Reisman's scholarly findings have had international legislative and scientific import in the United States, Israel, South Africa, Canada and Australia, while *The German Medical Tribune* and the British medical journal, *The Lancet* demanded that the Kinsey Institute be investigated, saying:

The Kinsey reports (one in 1948 on males and the companion five years later) claimed that sexual activity began much earlier in life.... and displayed less horror of age differences and same-sex relationships than anyone at the time imagined. It was as if, to follow Mr. Porter again, "Anything goes". **In Kinsey, Sex and Fraud, Dr. Judith A. Reisman and her colleagues demolish the foundations of the two reports ...** Kinsey et al ... questioned an unrepresentative proportion of prison inmates and sex offenders in a survey of "normal" sexual behavior. Presumably some at least of those offenders were also the sources of information on stimulation to orgasm in young children that can only have come from pedophiles--or so it must be hoped. Kinsey.... has left his former co-workers some explaining to do. *The Lancet*, (Vol. 337: March 2, 1991, p. 547).

Dr. Laura J. Lederer, as Sr Advisor on Trafficking, Office for Global Affairs, U.S. Department of State: "Dr. Judith Reisman [is] one of the world's most brilliant theorists on child sexual exploitation." In the 1980s, Dr. Reisman conducted the first and largest content analysis of *Playboy*, *Penthouse*, and *Hustler* and exposed the child pornography images in them. She has also done groundbreaking work on Albert Kinsey, proving that [his team] performed sexual experiments on children and infants, and calling into question his entire body of work, a body of work that some claim began the so-called sexual revolution. **In some ways she is the fore-mother of today's anti-trafficking work."**

Cmdr. Vernon J. Geberth, M.S., M.P.S. author of *Sex-Related Homicide and Death Investigation: Practical and Clinical Perspectives* and *Practical Homicide Investigation: Tactics, Procedures, and Forensic Techniques*: "Dr. Judith Reisman's book *Sexual Sabotage* is a bright beacon of light and truth shining through a world permeated with the smog of Kinsey generated pathological sexual behavior. *Sexual Sabotage* is a very well-researched book establishing how the morals and religious legacy of Judeo-Christianity were hijacked by the pseudo science of Alfred Kinsey, who spawned a sex science cult to normalize his own sexual perversions." Dr. Reisman co-authored Chapter One, "Human Sexuality and Sexual Deviance: Research and Reality" for the Second Edition of Geberth's foundational work, *Sex-Related Homicide and Death Investigation*.

J. Robert Flores, Esq., Former Administrator, Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice: "Judith Reisman has had the courage as a researcher to do the most important thing, keep an open mind and allow the data and the research

to influence and guide her work. Her work shines an important light on topics that seem to receive attention from only one direction in the academic community. Policy makers, foundations, and research institutions should carefully consider the issues she raises so that social re-engineering and personal agendas are not funded in the future and given the shine that comes from being associated with major donors, institutions, and foundations."

Lt. Col. Dave Grossman, author of *On Killing and On Combat*: "Dr. Judith Reisman is a national treasure. Her latest book, *Sexual Sabotage*, strikes a blow and sounds the clarion call for a return to decency and goodness in our civilization. With important new information, and incisive writing and logic, she expands and expounds on her past work to identify the full spectrum of "a treasonous moneyed cult of sexual deviants" who led us down the path to decay and destruction. And she charts a course for us to cast off the sexual tyranny and perversion of a "closeted clan of impotent, sexual psychopaths" to return from the dark and tragic place to which we have traveled, and to regain a culture of virtue, decency and honor."

Shelley Lubben, B.Th., Executive Director, Pink Cross Foundation: "Dr. Reisman's extraordinary work taught me how and why I was trafficked in prostitution and pornography, and Jesus Christ showed me the way out and how to help others find that same freedom."

Connie Valentine, M.S., Policy Director, California Protective Parents Association: "As Scientific Advisor for California Protective Parents Association, the presentation of Dr. Judith Reisman's Kinsey and Playboy research has enabled CPPA to win hearts, minds and votes in legislative and family court battles. The historical data in *Sexual Sabotage* tracking down our current pedophile, child pornography, and child sex trafficking pandemic should be known by all; in academe, law enforcement, legislators and the general public. We at the CPPA expect that *Sexual Sabotage* will be the impetus for a federal investigation of the Kinsey crimes."

Donna M. Hughes, PhD, Professor, University of Rhode Island: "Judith Reisman is the most fearless scholar I know. For decades, she has relentlessly researched the history of research and ideas on sexuality. She has documented the unsavory political motivations behind the most respected academics of their time. Her scholarship shows us the root of much of the sexual violence and sex trafficking we see today."

MOVIEGUIDE Founder, Ted Baehr, Esq., PhD.: "Whatever you do, please read everything Judith Reisman, PhD writes. She offers the diagnosis and the cure to the rampant sexual illness that is consuming our culture. She has exposed the vile source of the cultural disease and in doing so has set forth the remedy. There is no one more important to read. Her new book *Sexual Sabotage* is highly recommended."

Matthew Barber, Associate Dean for the Center for Career and Professional Development at Liberty University School of Law: "Dr. Reisman has been a lifelong champion for women

and children. She has done more to expose the crimes and frauds perpetuated by Alfred Kinsey than anyone else. She is to be commended for her life's work."

Bruce A. Taylor, President & Chief Counsel, National Law Center for Children and Families: "We should probably call her Detective Reisman for finding the hidden clue to Kinsey's crimes against children and families. She alone noticed that babies were molested in the name of Kinsey's macabre science and her book is the victims' grand jury indictment of perhaps the most destructive sexual revolutionary since Caligula. Kinsey, Crimes & Consequences is a blueprint for justice for victims of sexual exploitation and abuse. In the face of Kinsey's handbook for perpetrators, Dr. Reisman is the victims' amicus curiae." (April, 2000)

John L. Harmer, ESQ, Former California GOP Whip and Lieutenant Governor under Ronald Reagan: "There is no one in the entire world, let alone the United States, better qualified to present this essential message than Dr. Judith Reisman. If this book does not awaken the people of America to the reality that this is an issue of national survival, then our fate will be terrible. I appeal to all who are concerned for the safety of their family, their community, and their nation to not just read this book, but to study this book."

Tim Tate, Amnesty International Award-winning Producer-Director of "Kinsey's Paedophiles," Yorkshire TV, Great Britain: "When I first came across Judith Reisman's work my view of Alfred Kinsey was unquestioningly benign... In the course of producing my documentary - 'Kinsey's Paedophiles' - it became clear that every substantive allegation Reisman made was not only true but thoroughly sourced with documentary evidence - despite the Kinsey Institute's reluctance to open its files. My film built on the foundations laid by Dr. Reisman. Those foundations - and the additional evidence we uncovered about Kinsey's involvement with paedophiles who were actively abusing children - make it imperative that his successors at the Kinsey Institute today allow a rigorous and independent investigation of this dark corner of human study." (April, 2000)

Robert Sweet, former U.S. Depart. of Juvenile Justice and Delinquency Prevention Administrator: "Dr. Reisman is a scientist of outstanding exactitude and courage...the massive, affluent sex industry [has been unable] to show her findings to be incorrect or methodologically flawed--in even the smallest detail" (August 25, 1994)

Bill Moyers, CBS News: "Dear Professor Reisman: Having read your article in the Washington Post, I wanted to say that I, for one, believe your research project to be quite important. Our society faces no more important dilemma, in fact, and I say this as a father, journalist and citizen. In my role as a journalist, however, I would like to.... explore how your conclusions can be reported on the air in a responsible way" (June 19, 1985)

Hon. Dr. Marlene Goldsmith, M.L.C. Legislative Council, Australia: "Thank you for your powerful presentation on Tuesday. There were at least seven Members of Parliament present,

and I have had very favorable responses from most of them.... For those of us fighting this battle in the trenches, your visit has been an inspiration. Thank you for all you are doing to make the world a safer place for its children" (November 16, 1992)

The Hon. Dennis Stevenson MLA, Australia: "[Thanks].... in Canberra during your recent Australian tour.... for the in-depth briefing that you gave Parliamentarians.... [and] your presentation to the National Press Club Luncheon.... Parliamentarians.... were surprised to learn that Kinsey's findings have misled many legislators.... [as so much about] human sexuality in the western world derives from Kinsey" (December 11, 1992)

John Rabun, Deputy Director, Nat. Center for Missing & Exploited Children: Reisman's "study must be read by all those concerned with the ways pornography and violence in the media affect the incidence of child sexual exploitation and abuse" (3/24/88).

Dr. Laura Schlessinger: "Dr. Reisman has produced a scholarly and devastating study revealing the ugly and frighteningly dangerous pseudo-scientific assault on our children's innocence." (2003)

Susan Trento, Investigative Reporter, Author of *The Power House*: exposed *Playboy's* buying of legislative influence in Washington D.C. to discredit Reisman, whose cataloging of "children, crime and violence in pictures and cartoons found in *Playboy*, *Penthouse*, and *Hustler*...made the publishers of these and other magazines very nervous" (1992:194)

The LA Times: Reisman, "delivers a potentially damaging blow...comparing] two [Mapplethorpe] photographs...to child pornography and [saying] none are fit to hang in an art museum." (10/5/90) In 1991, *Playboy*, (whispering counsel to the Mapplethorpe defense) reported: "I would have taken a .357 Magnum, walked up to her and said, 'Judith, you're history'" (2/91). Hugh Hefner pens a "letter to the editor" in Canada, 1996, to condemn Reisman's work. *Playboy*: "Reisman...is lying with statistics...*Playboy* never has, never will" sexualize children. (12/85). She "puts men's magazines on the endangered species list," (10/88)...is "propagating a new witch-hunt mentality." (2/89)

Tim Philpot, Lawyer/Kentucky Congressman: "We retained the services of Judith Reisman as an expert witness on the issue of the health, welfare and safety of the four minor children.... Dr. Reisman's testimony was extremely helpful.... on the behavioral issues relating to the potential abuse of the children by either the father or his friends" (September 5, 1996)

Pamela Hobbs: "My father, Dr. A. H. Hobbs.... believed your research was excellent." -- University of Pennsylvania sociologist and philosopher, Dr. Albert Hobbs, provided the scholarship that led the Rockefeller Foundation to abandon Kinsey's grant funds, instead funding the American Law Institute to *implement* Kinsey's fraudulent sex data into The Model Penal Code in order to eliminate or reduce most sex crime penalties. (September 25, 1994)

Law Enforcement Training Conference on Child Sexual Exploitation and Obscenity, Memphis, Tennessee, on Dr. Reisman as Guest speaker particularly enjoyed the views of Dr. Judith Reisman and wished she had been able to spend more time with us. Her comments were right on target ... This seminar changed my total outlook/viewpoint on these type cases. Dr. Reisman could start a revolution. She's great ... I would have liked to have heard her speak more. She turned some lights on in my mind. (10/4-5, 1993)

Jerre Thompson, President of Southland 7-11 Corp., Letter to the Attorney General's Commission on Pornography: [It] became apparent to us--especially from the generally unrebutted testimony before your Commission-- that respected experts who have studied this issue very carefully are of the opinion that apparently a very small segment of our society employs various tools, including adult magazines, to assist in abuses of children and others. This was strongly pointed out in Judith Reisman's report before the Commission at its [Miami, Florida] hearing on child pornography. (April 10, 1986)

Sam Houston State University Criminal Justice Center, Texas, announced: "Local Professional Named to Missing Children-Serial Murderer Task Force: Judith A. Reisman, Professor at American University in Washington, D.C., has been named to a National task force (funded by two agencies of the U.S. Department of Justice), given the job of developing the master plan for a nationwide system to trace missing or abducted children and adults, serial murderers and conduct research.... the other (session is) at the FBI Academy, Quantico." (August 15, 1983)

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Judith A. Reisman, Deborah F. Reisman, and Barry S. Elman

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Judith A. Reisman, PhD, Former Principal Investigator, Images of

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By Judith Reisman

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A Work in Progress

Judith REISMAN

THE INSTITUTE FOR MEDIA EDUCATION

&

L.L. Jeffrey, Ed.d

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By Judith Reisman
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By Judith Reisman

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By Judith Reisman

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By Judith Reisman
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By Judith Reisman
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By Judith Reisman
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FBI reduces violence by ignoring child victims

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By Judith Reisman
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By Judith Reisman
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By Judith Reisman
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By Judith Reisman
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October 25, 2000

Kaiser Foundation's sexual propaganda

By Judith Reisman
World Net Daily
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By Judith Reisman
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By Judith Reisman
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By Judith Reisman
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By Judith Reisman
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By Judith Reisman
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By Judith Reisman
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By Judith Reisman
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By Judith Reisman
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By Judith Reisman

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By Judith Reisman

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By Judith Reisman

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By Judith Reisman

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By Judith Reisman

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By Judith Reisman

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Hepatitis B Vaccination of Infants And Children: A GOVERNMENT MANDATED "PEDOPHILE" HEALTH PROGRAM?

By Judith Reisman

The Institute for Media Education

March 1, 1999

Sex revolution triggers national impotence

By Judith Reisman

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By Judith Reisman

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By Judith Reisman

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EXHIBIT B

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

The State Factor

Jeffersonian Principles in Action

Restoring Legal Protections for Women And Children: A Historical Analysis of The States Criminal Codes

By Dr. Linda Jeffrey

April 2004

Introduction

It is my pleasure as former National Chair of ALEC, to introduce this *State Factor*, “Restoring Legal Protections for Women and Children: A Historical Analysis of the States Criminal Codes,” proposed during my chairmanship and then approved December 11, 2003 for publication by the ALEC Education Task Force. The Education Subcommittee on Junk Science in the Classroom, ably chaired by Kansas Senator Kay O’Connor, commissioned this research because of widespread use of “junk” science misdirecting legislatures, courts and education.

The evidence presented in this *State Factor* reveals compelling evidence of illegal and criminal acts masquerading as science taken from Kinsey’s confessions in his own “Reports” (1948-1953). Dr. Alfred Kinsey was a “sexual revolutionary” and his “Kinsey Reports” are junk science. Professor of Constitutional law Dr. Charles Rice of Notre Dame concluded that Alfred Kinsey’s research was:

“...contrived, ideologically driven and misleading. Any judge, legislator or other public official who gives credence to that research is guilty of malpractice and dereliction of duty.”

Since World War II Kinsey’s fraudulent data informed and directed the American Law Institute’s “Model Penal Code” in eliminating and weakening 52 sex laws that once protected marriage. If indeed, as Justice Brandeis once said, “law points the way,” the changes to public policies and law naturally followed

the Kinsey junk science sexuality model. The ALI’s penal law reforms recommended to legislators and lawyers were largely adopted between 1960 – 1980 and permitted Kinsey’s abnormal sexual conduct to be taught to American children via sex education. Since then public health costs from sexual disease and dysfunction have skyrocketed indeed all measures of socio sexual disorder have soared from the 1960s, when protective laws began to be weakened and/or eliminated.

As Kinsey intended, contemplated in the current debate are calls for “discrimination” laws to protect the full range of sexual activities including transvestitism, transgenderism, polygamy, bestiality and the like and, in education, whether to teach our children all “alternate” sexual acts as normal - or to teach Chastity and Abstinence until marriage.

This *State Factor* is a valuable reference and resource for your work in government, because it provides you with history and current information of the utmost importance for any informed understanding of many public issues crucial to the protection of America’s families and young people. Understanding how junk sex science has deformed our thinking and laws is vital as legislators “point the way.” Restoration of reliable and honest standards in our state laws will ensure more healthful and economically sound outcomes for generations to come. Only if enough legislators call attention to Kinsey’s questionable findings, can we start to reverse the misguided assault on American law and way of life through investigation, inquiries

and repeal of laws and public policies based on “junk” science.

- California State Senator Ray Haynes

SUMMARY AND PURPOSE OF PAPER

This paper presents the first-hand account of history from participants and scholars since 1948 of how “junk science” was introduced into public policies and state law, and suggests the need for serious and official review, recall, and elimination of all “scientific” fraud from public policies including education and state law. The “junk science” adopted by most state legislatures was based on Indiana University’s Kinsey Reports (1948,1953). The study presents a history and review of changes in public education, philosophy and program goals since 1950, and the concurrent comprehensive “science-based” criminal law reform known as the American Law Institute’s (ALI’s) Model Penal Code (MPC). This will inform public officials and state lawmakers about how many radical changes were made without informed consent, and as a result, specific protections were lost for American women and children based on widespread legislative and judicial reliance upon the Kinsey Reports and the Model Penal Code.

Evidence to make this case comes from the most compelling comments and admissions made by Kinsey himself and from those directly associated with the research and its use.

THE JUNK SEX SCIENCE

Alfred Kinsey was a moral revolutionary in scientist’s clothing. The science was bad, even bogus; the man himself may now be forgotten; but the revolution came to stay, with a vengeance. Kinsey’s message—fornicate early, fornicate often, fornicate in every possible way—became the mantra of a sex-ridden age, our age, now desperate for a reformation of its own.¹

Most professionals, public officials, and Americans are unaware that the Sexual Revolution of the 1960s was ignited by publication of *Sexual Behavior in the Human Male* that appeared in January 1948 and *Sexual Behavior in the Human Female* that followed in August 1953.

Each volume received extraordinary media coverage. The media coverage was coordinated with Dr. Kinsey and Kinsey-approved articles began appearing across the country prior to the January 5, 1948 public release of the first *Male* Report.

The Kinsey Reports “were meant to cause change” according to Kinsey Institute author John Gagnon.² In 1997, sympathetic Kinsey biographer James Jones revealed that Kinsey’s mission was to end the sexual repression of our “English-American common law traditions.”³ In fact, Kinsey’s “methodology” for changing society’s sexual life was modeled after his studies of gall wasps. Kinsey said: “The techniques of this research [were] born out of the senior author’s longtime experience with a problem in insect taxonomy. The transfer from insect [gall wasps] to human material is not illogical,” and could be applied to any population (Male volume, p. 9).

America’s trusted public institutions and professions adopted The Kinsey Reports’ radical findings, which included the stunning conclusion that 95% of “normal” American men, many World War II veterans of “the greatest generation,” would be classified as sex offenders under the 1948 common law state criminal codes.⁴ Alfred Kinsey and his Indiana University colleagues considered state laws protecting “Persons” and “Morality” unenforceable and campaigned for “science-based legal reform” to keep up with Man’s evolution.

Dr. Judith Reisman’s research into the “scientific” basis of Indiana University’s Kinsey Reports, has dispositively revealed, from the Kinsey authors themselves, the Kinsey data are fraudulent.⁵ The internationally respected British Medical Journal, *The Lancet*, reviewed Dr. Reisman’s first book, *Kinsey, Sex and Fraud* (1990) recognizing:

Dr. Judith A. Reisman and her colleagues demolish the foundations of the two reports...The important allegations from the scientific viewpoint are imperfections in the sample and unethical, possibly criminal, observations on children...The book goes beyond that, however, for Kinsey, et. al, questioned an unrepresentative proportion of prison inmates and sex offenders in a survey of “normal” sexual behaviour...Kinsey, an

² *The State Factor—Restoring Legal Protections for Women and Children* April 2004
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otherwise harmless student of the gall wasp, has left his former co-workers some explaining to do.⁶

For 50 years the exalted and widely accepted validity of The Kinsey Reports derived primarily from the large sample claimed, possibly 18,000 subjects. However, Kinsey very unscientifically gleaned "...only a quarter of the cases in his two reports, without notice."⁷

Female volume co-author and former Kinsey Institute Director Paul Gebhard reported:

In the early stages of the research, when much interviewing was being done at Indiana correctional institutions, Dr. Kinsey did not view the inmates as a discrete group that should be differentiated from people outside; instead, he looked upon the institutions as reservoirs of potential interviewees, literally captive subjects. This viewpoint resulted in there being no differentiation in our 1948 volume between persons with and without prison experience ... Kinsey never [kept] a record of refusal rates--the proportion of those who were asked for in interview but who refused.⁸

Kinsey hagiographer Jonathan Gathorne-Hardy revealed that Kinsey never hired a statistician. "Frank Edmondson, a young astronomer" who had had "some rather superficial statistical training" was Kinsey's "statistician." Said Edmondson, Kinsey "wasn't a mathematician," in fact Kinsey "often got muddled between mean (average) and median," elementary statistical concepts.⁹ *Male* volume co-author Clyde Martin "was no scholar," but served as a statistician without such knowledge.¹⁰ Dr. Alan Gregg, director of the Medical Science Division, the Rockefeller Foundation funded Kinsey's research. Rockefeller's Science Director, Warren Weave, recorded Gregg's concerns regarding serious flaws in Kinsey's published data on May 7, 1951:

[T]here has never been, in this group, any trained mathematical statistician who comes within gunshot of having the competence, training, and experience which are required. In Dr. Kinsey's own listing of his staff (Progress Report, April 1, 1950) he says that Mr. Clyde E. Martin 'continues in charge of the statistical handling our data (sic).' His scientific stature has not as yet caused him even to be listed in American Men of

Science, the latest 11.5 contains about 50,000 names. Dr. Kinsey must approve highly of him, for in 1951, he raised his salary by 36 per cent. In his own diary record of a visit to Kinsey in July 1950, Dr. Gregg said, under the heading of personnel: 'Past and present needs remain unsatisfied in point of... statistics.' This fault - this admittedly absolutely basic fault - existed in the project in 1942, it has existed ever since, there is no promise whatsoever that it will cease to exist - and we do nothing about it.¹¹

Within months after the *Male* Volume was published, Dr. Kinsey was invited to testify before a judicial committee of the California legislature, regarding "problems" with existing sex offense law. First, he claimed that his decade of research reflected "normal sexuality" to be found in the entire American male population: "[Our research] has the advantage of having a background of the picture typical in the population as a whole..."¹²

After Kinsey's death and in 1979, Kinsey co-author and Kinsey Institute Director Paul Gebhard undertook to "clean up" the data, but by that time most state penal code revisions were concluding. Gebhard revealed that of the 18,000 interviews once widely considered so scientifically impressive, 5,300 white males accounted for the research base in the *Male* Volume; of that 5,300, 2,446 were designated as convicts, 1,003 homosexuals, 50 transvestites, 117 mentally ill, 342 "Other," 650 sexually abused boys. This yielded 4,628 n=Aberrant and 873 n="Normal" Male subjects.¹³

Kinsey also failed to allow for "volunteer error," according to Dr. Abraham Maslow:

[V]olunteers will always have a preponderance of [aggressive] high dominance people and therefore will show a falsely high percentage of non-virginity, masturbation, promiscuity, homosexuality, etc. in the population.¹⁴

Finally, zoologist Alfred C. Kinsey was not the conventional, middle-American family man and academic as marketed by Indiana

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University and the mass media. In 1997, Kinsey biographer James H. Jones revealed,

The man I came to know bore no resemblance to the canonical Kinsey. Anything but disinterested, he approached his work with missionary fervor...He wanted to undermine traditional morality, to soften the rules of restraint...Kinsey was a crypto-reformer who spent his every waking hour attempting to change the sexual mores and sex offender laws of the United States...In Kinsey's case, the personal was always political.¹⁵

Later Jones commented on how Kinsey's own carefully manufactured persona hid his "missionary fervor...to undermine traditional morality" and his own sexual predilections. The truth would have damaged his credibility and stopped his mission to change the sex offender laws of the United States:

There is no way that the American public in the 1940s and the 1950s would have sanctioned any form of behavior that violated middle class morality on the part of the scientist who was telling the public that he was disinterested and giving them the simple truth.... Any disclosure of any feature of this private life that violated middle class morality would have been catastrophic for his career.... For Kinsey, life in the closet came complete with a wife, children, a public image...that again he preserved at all costs. Kinsey's reputation still in large measure rests upon an image of him that he cultivated during his lifetime ...the official mystique.¹⁶

Effectively keeping the sex lives of Kinsey and his men hidden, Jones is right that, to date, this effort "came to nothing." However, now Jones admits that Kinsey,

...was not quite what he appeared to be--the genial academic in baggy tweeds and bow tie, the simple empiricist disinterestedly reporting his data...Kinsey....was, in reality, a covert crusader who was determined to use science to free American society from what he saw as the crippling legacy of Victorian repression. And he was a strong-willed patriarch who created around himself a kind of utopian community in which sexual experimentation was encouraged. In his obsessive energies and powers of persuasion, Kinsey resembled a late twentieth-century cult leader...a self-created visionary with a burning belief in his mission (and

ability) to change the world.¹⁷

Finally Jones reports that, "Kinsey concentrated on negative eugenics, calling for a program of sterilization that was at once sweeping and terrifying. "The reduction of the birth rate of the lowest classes must depend upon the sterilization of perhaps a tenth of our population."¹⁸

While Gore Vidal pronounced Kinsey the "most famous man in the world for a decade" one broadcast documentary, the Channel 4, British Yorkshire Television documentary, "Kinsey's Paedophiles," confirmed Dr. Judith Reisman's findings including Kinsey's collaboration with active pedophiles, a collaboration that resulted in the criminally derived pedophile "data" that contained the infamous "Table 34," on page 180 in *Sexual Behavior in the Human Male*. Kinsey-favoring biographer James Jones admitted in the Yorkshire interview what Kinsey's own seminal research reveals, that is, children, some as young as 2 months of age, were used by "nine" adult male subjects for Kinsey's human experiments:¹⁹

Kinsey relied upon [King, a pedophile] for the chapter on childhood sexuality in the male volume ... Many of his victims were infants and Kinsey in that chapter himself gives pretty graphic descriptions of their response to what he calls sexual stimulation. If you read those words, what he's talking about is kids who are screaming. Kids who are protesting in every way they can the fact that their bodies or their persons are being violated.²⁰

Until 1998, when the Yorkshire investigators located the criminal trial records and news reports in Berlin, only a few in Kinsey's inner circle knew about the Kinsey Institute's collaboration with Dr. Fritz Von Balluseck. Von Balluseck was a Nazi pedophile who contributed his child abuse data (from roughly 1936-1956) to Kinsey's research database.²¹ German news accounts during the trial reported:

The Nazis knew and gave him the opportunity to practice his abnormal tendencies in occupied Poland on Polish children, who had to choose between Balluseck and the gas ovens. After the war,

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the children were dead, but Balluseck lived. [National-Zeitung, May 15, 1957]. Balluseck... corresponded with the American Kinsey Institute for some time, and had also got books from them which dealt with child sexuality. [Tagespiegel, October 1, 1957].

The connection with Kinsey, towards whom he'd showed off his crimes, had a disastrous effect on [von Balluseck]... [I]n his diaries he'd stuck in the letters from the sex researcher, Kinsey in which he'd been encouraged to continue his research.... He had also started relationships ... to expand his researches. One shivers to think of the lengths he went to. [TSP, May 17, 1957]

Kinsey included these criminally-derived "child sexuality" data in his *Male* volume, cloaked in scientific respectability:

Better data on preadolescent climax come from the histories of adult males who have had sexual contacts with younger boys and who, with their adult backgrounds, are able to recognize and interpret the boys' experiences . . . 9 of our adult male subjects have observed such orgasm . . . we have secured information on 317 preadolescents who were either observed in self masturbation, or who were observed in contacts with other boys or other adults.²²

KINSEY'S "JUNK SCIENCE" ENTERS EDUCATION

Few people realize that the great library collection of...the Kinsey Institute...was formed very specifically with one major field omitted: sex education. "[I]t seemed appropriate, not only to the Institute but to its major funding source, the National Institute of Mental Health, to leave this area for SIECUS to fill. Thus we applied and were approved for a highly important grant from the National Institute for Mental Health that was designed to implement a planned role for SIECUS to become the primary data base for the area of education for sexuality.

SIECUS Report, May-July 1982, p. 6.

The ALEC Education Task Force passed a unanimous resolution declaring what has been ALEC's policy for years; that all teaching must honestly promote accuracy

of information including verifiable scientific findings. Washington, Arizona and New Jersey were among the states introducing legislation in 2001 demanding medically accurate information in sex education. The new K-12 sex education is grounded in the fraudulent scientific foundation of the Kinsey Reports.

Since 1964, the Sex Education and Information Council of the United States (SIECUS) has provided sex education materials to public schools. SIECUS, a private entity, received initial seed money from the *Playboy* Foundation.²³ It was founded via the Kinsey Institute at Indiana University as its outreach. SIECUS is dependent upon Indiana University's Kinsey Reports, including the "scientific" tables documenting the Kinsey protocol of ongoing molestation of infants and children by pedophiles, including at least one former Gestapo officer.²⁴ These criminal acts provided the "proof," Kinsey said, of sexual desire and erotic capacity in infants and children.

Therefore, according to Kinsey, "science" requires teaching kindergarten children about their sexuality. In the April 14, 1980 issue of *Time* Magazine, SIECUS was described as part of the "pro-incest lobby," and in 1996, SIECUS issued a position statement advocating the use of "sexually explicit materials" to teach school children:

When sensitively used in a manner appropriate to the viewer's age and developmental level, sexually explicit visual, printed, or on-line materials can be valuable educational personal aids helping to reduce ignorance and confusion and contributing to a wholesome concept of sexuality.²⁵

Just as SIECUS was founded to promote Kinseyan sex education to school children in 1964, the American Association of Sex Educators, Counselors and Therapists (AASECT) was created in 1967 to train and accredit educators, health personnel and other "helping" professionals in the area of human sexuality based on the Kinsey "findings." Patricia Schiller was AASECT's first executive director. Mrs. Schiller writes,

AASECT at its national and regional sex workshops and institutes, includes sensitivity sessions....Attitudes toward nudity, adolescent pregnancy, masturbation,

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abortion, homosexuality, contraception, divorce, group sex and extramarital sex relations are of major significance in the effectiveness of the sex education and counseling process. These are the realities of human sexuality.²⁶

A new study refuting the claims of the Kaiser Family Foundation and SIECUS reports that when parents are presented with the actual statements of comprehensive sex education curriculum, 61% are opposed to having their children exposed to such information. The curricula promoted by the Centers for Disease Control tallied a whopping 75.3% opposition from parents. The study was conducted by Zogby International on a random sample of 1,245 adult parents of children aged 5 to 18. The Zogby poll reports that former surveys by Alan Guttmacher Institute, Planned Parenthood, SIECUS and Advocates for Youth have been seriously flawed by vague, deceptive, and leading questions, with a clearly biased agenda to convince parents that such "expert" sex education is needed for their children's health and well being. Examples of outrageously biased questioning by SIECUS and Planned Parenthood are given in the February 13, 2003 Zogby Study analysis entitled, "Deception Uncovered."²⁷

Since Kinseyan findings within sex education materials entered schools, rates of sexual disease and dysfunction have increased. Condoms are now ubiquitous and are widely promoted in schools by public school and health authorities to prevent pregnancy and sexual disease. Yet, according to the National Institutes of Health (NIH) study on condom effectiveness (June 2000), condoms do not prevent a stunning 98% of STD transmissions.²⁸ Condoms never protect against Human Papilloma Virus (HPV) which is spread by skin contact, not by fluids²⁹ and is the cause of cervical cancer, which kills 5,000 women per year in the United States. The prestigious British medical journal, *Lancet*, suggests that "increased condom use will increase the number of AIDS transmissions that result from condom failures."³⁰ There is a 24% pregnancy rate for teens who use condoms.

As for condoms and AIDS, according to the December 1999 Center for Disease Control reports, heterosexual contact has accounted for a miniscule 4% of AIDS in males, and a total of 10% of all AIDS cases in men, since reporting began in 1981. AIDS in

the U.S. remains overwhelmingly a homosexual sodomy/drug user disease.³¹

Dr. Meg Meeker³² in her 2002 book, *Epidemic: How Teen Sex Is Killing Our Kids* has estimated the sexual revolution harvest:

- Nearly 1 in 5 adolescents is living with an STD, p. 13.
- In the 1960s a shot of penicillin could cure the two known STDs, syphilis and gonorrhea. Today there are no simple cures and, in most cases, no cures at all, p. 15, 31.
- The CDC considers the STD epidemic a "multiple" epidemic of at least 25 separate diseases (nearly 50 if you count the various strains of virus groups.), p. 14.
- Over 80% of STD-infected teens are unaware they have a STD; therefore they don't get medical attention and may continue to infect others. p. 35.
- False claims are asserted by sex educators who under inform or mislead kids about STDs and condoms that offer little or no protection from disease. pp. 104-5.
- Pharmaceutical companies promote drugs that control STD symptoms, encouraging kids in the delusion they can be promiscuous without any of the associated problems.
- The anatomic and immunological differences make the adolescent body – particularly the female's - more susceptible to STDs than the adult body. pp. 175-6.
- The idea of maintaining sexual freedom rather than preventing disease remains the driving force and primary focus of national sex education and the STD epidemic continues to worsen as long as it does. pp. 26-29

Sex education in public education was promoted to teachers and parents in the early 1950's as sex crime "prevention." Guided directly by Kinsey, who served on the Illinois commission's workgroup to devise the "Framework for Sex Offender Laws," Illinois blamed poor parenting and lack of education for high levels of sex crimes in the early 1950s. These rates seem miniscule in comparison with

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those today. The Report of the Illinois Commission on Sex Offenders stated:

Children oftentimes are inadequately trained to live in a free society. The inability of some parents to rear children in a democratic atmosphere and, at the same time, to observe the conventions of society is a fact that needs consideration. Too often indulgence on the one hand or oppression on the other result in emotional maladjustment that may lead to sexual offense. Methods of educating adults, who deal with children must be considered also. Prevention through mental hygiene and sex education for both adults and children may prove to be effective.³³

Kinseyan legal reformers testified before legislatures and in professional literature that sex education would reduce violent sex crimes and high rates of sex offender (rapists and child molesters) recidivism.³⁴ And AASECT dealt with “educating adults, who deal with children.” Carol Cassell (currently the director of the Center for Disease Control’s Teen Pregnancy Prevention Program) describes AASECT’s use of the Kinsey Reports as the root of their professional authority:

Look how we've used the Kinsey data. We've used it for everything from assessing the stability of marriage to raising children to trying to understand human growth and development -- not just sexual but also psychological growth and changes over time.³⁵

Taught by AASECT trained teachers, the SIECUS sex education programs were guided by The Kinsey Report’s assertion that human beings are sexual actors from birth.³⁶ At law, this meant that four or five year old children could be considered “provocateurs.”³⁷ Redefining children as sexual beings resulted in lowered penalties for rape and child molestation reflecting the new science’s claim that there is no harm unless “*serious* force is used.” In public education, after state laws were changed, SIECUS expanded “the talk” about sexuality from a total of thirteen minutes to sex education covering thirteen school years with the theme that any and all imaginable sexual behaviors, at any age, are simply “responding to a wide human need.”³⁸

Between 1994 and 2000, SIECUS received over one million tax dollars from the publicly funded Center for Disease Control. The CDC materials promote sodomy as

“normal” and as equally fulfilling and desirable as marital coitus. In the SIECUS 1991 Guidelines for Comprehensive Sexuality Education: Kindergarten-12th Grade, a family is redefined as any grouping of people who care for each other (Key Concept 2). Kindergarten children are told that marriage is a mere option some people choose (“Some couples who love each other live together in the same home without getting married” Topic 5, level 1).

The sex “experts” and the Kinseyan sex education monopoly are well entrenched in higher education. For example, Tennessee legislators passed Abstinence legislation to promote “Marriage.” However, the *Lifetime Wellness Curriculum* Framework produced by the Tennessee Department of Education treats Marriage as merely a parenting and economic option chosen by some. School children are guided in graphic games about oral and anal sodomy and about death. Tax supported teaching programs are required to be accurate in order to be funded. There is no doubt, after reviewing pre-Kinsey levels of sexual disease and dysfunction, the SIECUS sex education programs post 1964 have seen STD rates skyrocket. Abstinence programs calling for modesty and saving sex until marriage guarantee taxpayers a major reduction in costly post-Kinsey disease and dysfunction.

KINSEY’S JUNK SCIENCE ENTERS THE LAW

The Professional Call for “Science-based” Legal Reform

In a 1952 article in the *Harvard Law Review* Columbia Law Professor Herbert Weschler advocated for revision of “ineffective, inhumane and thoroughly unscientific” state criminal laws that its author claimed, were not based on the truth now available through “objective” scientific pursuit.³⁹ Attorney Morris Ernst, a few months after the appearance of the 1948 Kinsey Report, published one of five books that would be published advocating penal reform based on the “science” of the Kinsey Reports, stating: [V]irtually every page of the Kinsey Report touches on some section of the legal code . . . a reminder that the law, like our social pattern, falls lamentably short of being based on a knowledge of facts.⁴⁰

⁷ *The State Factor—Restoring Legal Protections for Women and Children* April 2004
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Based upon what has been previously shown in this study to be Kinsey's biased and seriously flawed data, the "Sexual Offenses" Article 207 of the 1955 Model Penal Code was constructed. For example, Section 207.5, titled "Sodomy and Related Offenses," proposed that consensual sodomy with an "actor" 10 years or older be classified a misdemeanor. Appendix A to section 207.5 is titled "Frequency of Sexual Deviation," and of 21 quotations, 19 are taken from Kinsey's book, *Sexual Behavior in the Human Male* (1948).

ALI Reporter Morris Ploscowe parroted Kinsey's "scientific" findings:

These pre-marital, extra-marital, homosexual and animal contacts, we are told, are eventually indulged in by 95 per cent of the population in violation of statutory prohibitions. If these conclusions are correct, then it is obvious that our sex crime legislation is completely out of touch with the realities of individual living and is just as inherently unenforceable as legislation that prohibits . . . an activity that responds to a wide human need.⁴¹

In addition to this book by Albert Deutsch (Ed.), to which Ploscowe contributed, three of the four other 1948 releases called for "science-based" law reform based on the new "science" of the Kinsey Reports. These three books presented collections of essays by luminaries in education, law, psychiatry, psychology, and medicine.⁴²

KINSEY'S DATA "PERMEATE ALL PRESENT THINKING ON THIS SUBJECT."⁴³

The ALI began a campaign⁴⁴ to secure enactment of its provisions as state law, beginning in Illinois which adopted the Code in 1961. Frank Horack, Jr., acting Dean of Indiana University, writing in support of the Kinsey Reports' impact on law, predicted:

The principal impact of the Kinsey Report will be at the level of the administration of the law. It will provide the statistical support which police officers, prosecutors, judges, probation officers and superintendents of penal institutions need for judging individual cases . . . Officials will read it. Defense counsel will cite it. Even when it is not offered into evidence, it will condition official action.

Psychiatrists, psychologists, penologists, juvenile and probation officers all participate in modern penal procedures - they will use the data and their professional advice will be heeded by the judge. Here the Report will control many decisions and dictate the disposition and treatment of many offenders.⁴⁵

Concurrent with the publication of Indiana University's and the Kinsey Institute's *Male* and *Female* volumes, a number of states conducted "fact-finding" commissions to study sex crime problems. Kinsey Report co-author Wardell Pomeroy states that Kinsey personally worked on "the revision of sex laws" with the Illinois, New Jersey, New York, Delaware, Wyoming, and Oregon commissions.⁴⁶ In December 1949, Kinsey testified for an entire day before the "California Subcommittee on Sex Crimes." Kinsey told the committee:

For the last 11 years we have had a research project, as you know, underway at the university on human sexual behavior . . . we find that 95 percent of the [male] population has in actuality engaged in sexual activities, which are contrary to the law.⁴⁷

Kinsey presented the California legislature with the wildly false claim, "[Our research] has the advantage of having a background of the picture typical in the population as a whole..."⁴⁸

In 1951, the Illinois legislature funded a commission to study the sex offender. Francis Allen chaired the committee that drafted the report submitted to the Illinois legislature. Under Section II, "Scientific Findings," Allen writes: "No specific reference to the Kinsey findings is made here since these permeate all present thinking on this subject." Allen also chaired the workgroup "Framework for Sex Offender Laws" to which Alfred C. Kinsey and Co-author Wardell Pomeroy served as consultants.⁴⁹

A similar commission was conducted in New Jersey. The report was facilitated by Paul W. Tappan, who later would be a Reporter for the ALI Committee that drafted the Model Penal Code. Section II of the New Jersey report is titled: "Sex Deviation: Its Extent and Treatment." It begins with quotations from Kinsey's *Male* volume. The New

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Jersey Commission expressed its gratitude to Dr. Kinsey and Morris Ploscowe for their “frequent and extended consultations.”⁵⁰

The New Jersey Commission’s report stated:

[T]here can be no real doubt that a very large number of the male population of New Jersey has engaged in practices coming within the enumerations of our present abnormal sex offender law, on the basis of which they might be committed to one of our state mental hospitals.⁵¹

Louis B. Schwartz, author of the “Sex Offense” section of the Model Penal Code, reviewed Kinsey’s Male Volume in the *University of Pennsylvania Law Review* in 1948. His article provided the new language for the American bench and bar that was used to normalize formerly proscribed sexual conduct. Schwartz wrote:

To reveal that certain behavior patterns are widespread, that they are a product of environment, opportunity, age and other factors over which the individual has little control, that they are not objectively harmful except as a result of society’s efforts at repression (Kinsey, pp. 385-86) to point out that similar behavior is encountered among other animals than man, to suggest that the law ought not to punish and that psychiatrists might better devote themselves to reassuring the sexual deviate rather than attention to “redirect behavior” (Kinsey p. 660) - all these add up to a denial that sexual “perversion” is an evil.⁵²

Schwartz then pictures “the distant day when Americans cease to regard minority morals as a legitimate object of social coercion,” and suggests a covert and undemocratic method for elites to change state criminal codes:

Eventually, such distinctions ease themselves into the written law, especially if it can be done in the course of a general revision of the penal code. This avoids the appearance of outright repudiation of conservative moral standards, by presenting the changes in a context of merely technical improvements.⁵³

STATE LAW JOURNALS ADVOCATE FOR PENAL REFORM USING KINSEY AS AUTHORITY

The ALI penal reform campaign appealed to the

bench and bar via states’ Law Journals. These cited to the Kinsey Reports as the “scientific” authority to define normal and therefore non-criminal behavior. The *North Carolina Law Review* testifies to its readers:

More than two decades have passed since the publication of Alfred Kinsey’s study on human sexual behavior that made clear the wide disparity between conservative sexual behavior permitted by law and the liberal sexual practices that Kinsey found actually to occur in society. Dr. Kinsey stated that “[s]ex laws are so far at variance with general sex practices that they could not conceivably be rigorously enforced” (Citing to 23 *New York University Law Quarterly Rev.* 540, 541 (1948), quoting Kinsey’s Male volume).⁵⁴

Other states Law Journals cite the Kinsey Report data to advocate legalizing prostitution (Maine, 1976); harmlessness of boy prostitution (Duke University, 1960); lightening sex crime penalties (Ohio, 1959); legalizing homosexuality (South Dakota, 1968); the need for “beneficent concern for pedophiles” (Georgia, 1969); and for general sex law revisions (Oklahoma, 1970). The journals commonly cited the “fact” that 95% of males are sex offenders (Oregon, 1972); that young children are seducers (Missouri, 1973, Tennessee, 1965); and that judicial bias is the cause of “severe condemnation of sex offenders” (Pennsylvania, 1952).⁵⁵ Finally, the *Colorado Law Review* ridicules American standards of virtue, honor and chastity by publishing “The Legal Enforcement of Morality” authored by none other than *Playboy*’s, Hugh Hefner. Claiming to be Kinsey’s “pamphleteer,” Hefner writes to his legal audience:

Kinsey reports that in some groups among lower social levels, it is virtually impossible to find a single male who has not had sexual intercourse by the time he reaches his mid-teens.⁵⁶

Revision Commissions reported to state legislatures. The Model Penal Code was their blueprint for complete sex crime revisions. Such liberalized sex laws were enacted nationwide--

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generally occurring for the first time since statehood.⁵⁷

In the rush to "science-based legal reform," not all state commissions accepted the sweeping revisions as an assumed improvement in the "clarification of law." In 1970 the *Michigan Journal of Law Reform* published the report of the director of the Criminal Law Revision Commission in California describing the advisory board's reaction to its "revision" suggestions:

[I]ts product at first inspection struck most of the members of the Board, unfamiliar with the Model Penal Code or another contemporary criminal law revision, as a strange and baffling departure from all of the familiar landmarks of conventional law. The style of the Model Penal Code, its rigorously logical order and its general abandonment of common law terminology does pose difficulties for anyone whose entire educational and professional experience has been circumscribed by the eighteenth century common law concepts still preserved in the criminal law of California. The staff, of course, was greatly influenced by the Model Penal Code."⁵⁸

PURPOSE AND PRINCIPLES OF ALI'S MODEL PENAL CODE

The stated purpose of the ALI MPC was to reduce crime, recidivism and to modernize the law in accord with scientific advances. In his 1952 *Harvard Law Review* article, chief author Columbia University Law Professor Herbert Wechsler argued for a Model Penal Code on the grounds that the current crime rate was too high. He said this high rate proved the common law then in effect, was "ineffective" and "unscientific."⁵⁹ By the late 1970s, most local and state bar associations had heeded Wechsler's call and promoted the passage of a revised penal code based on the ALI MPC.

In the wake of modernity, naturalistic science emerged preeminent over the nation's guidance by the fixed moral standards of the Declaration of Independence. The MPC portrayed fixed law with moral supports as inadequate and antiquated. Unhinged from the divine, evolving law with scientific support became the standard.⁶⁰

Model Penal Code authors called for laws using the "aid that modern science can afford." This created a crisis in American law. Modern evolving law, apparently based

on science, appeared to conflict with America's long settled (and protective) common law, and the common law was being portrayed as inconsistent, ambiguous, outmoded, and redundant.⁶¹ Law, by definition, to be "law" must be fixed. However, state revision commissions revised state penal codes according to the new ALI MPC understanding that law is always evolving and requires constant change.

The American Law Institute transformed corrections by revising the definition of criminal responsibility. This dramatic change occurred under the guidance of three psychiatrists: Lawrence Z. Freedman, Winfred Overholser, and Manfred Guttmacher. Though there was not complete agreement, Wechsler reports the ALI authors "were totally responsive to the psychiatric points, while advancing a fresh solution."⁶² By applying the modifications of the Model Penal Code, criminal responsibility was redefined to include; 1) knowledge of right and wrong, and 2) the capacity to conform to the law. There was an important new element to which only a qualified "expert" could testify. *The M'Naughten Rule* that originated in 1843, required the cognitive ability of the offender to know right from wrong in order to be guilty of crime. The drafters of the Model Penal Code thought that in addition to knowledge, it was important to determine the offender's capacity for self-control.

Benjamin Karpman--who is quoted as the primary psychiatric authority in the Model Penal Code--claimed that criminal behavior could be compared to tonsillitis:

Criminal behavior is an unconsciously conditional psychic reaction over which [the criminals] have no conscious control. We have to treat them as psychically sick people, which in every respect they are. It is no more reasonable to punish these individuals...than it is to punish an individual for breathing through his mouth because of enlarged adenoids, when a simple operation will do the trick.⁶³

Karpman held little regard for a common law that had provided safety and security for the law-abiding citizen, while punishing criminal behavior. As a

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psychiatrist, he claimed the medical profession is the “vanguard of human progress.”

Experiment is viewed as superior to precedent; old methods are readily abandoned, to give way to newer methods. It is therefore a matter of great wonderment, and disappointment as well, that with so many physicians on the staff of prisons...medicine has thus far contributed so little of positive value toward a more scientific and more humane understanding of crime.⁶⁴

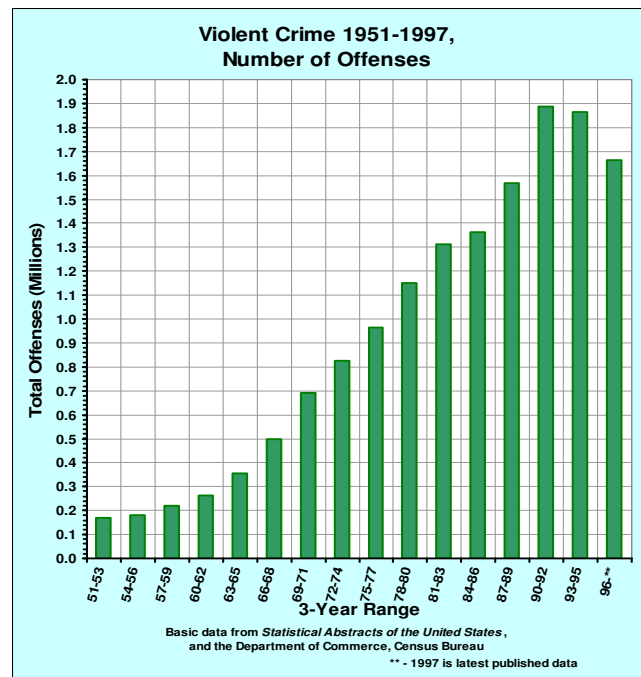
The influence of Guttmacher’s Group for the Advancement of Psychiatry (GAP) on law reform is evidenced by states’ adoption of a therapeutic approach to criminology despite therapy’s experimental and unproven track record. The *South Carolina Law Review* reported in 1968 that:

There are no data indicating the amount of success of correctional efforts to date. There is a large body of literature reporting numerous research findings and number of plausible theories concerning treatment of the offender. However, the knowledge that is available has not been translated into feasible action programs or the programs have not been successfully implemented or if they have been implemented they have lacked evaluation. If they have been evaluated, the results have usually been negative, and in the few cases where there were positive results reported there have been no replications to support these findings.⁶⁵

A further consequence of therapeutic influence has been to strip the authority of the jury, replacing it with expert testimony. The ALI MPC authors held that a judge did not have the expertise to judge offenders. Moreover, a jury of one’s peers was too likely to mete out tough punishments to criminals. Wechsler wrote,

It is widely urged that the responsibility for the determination of the treatment of offenders should not, in any case, be vested in the courts; that judges have no special expertise or insight in this area that warrants giving them decisive voice; and that they should be superseded by a dispositions board that might include the judge but would draw personnel of equal weight from social work, psychiatry, penology and education.⁶⁶

In view of the new offender sympathies and the desire to therapeutically manage criminals in the ALI’s MPC, the power of the uniquely American jury “of one’s peers” system was significantly curbed. This was accomplished in state after state through the expert’s classification and sub-



classification of crimes and the assignment of multi levels of penalties for once simply understood crimes and punishments.

If psychiatric experts were now needed to determine criminal responsibility under the new law system, they would also determine the remedy. Wechsler said that the common law “employs unsound psychological premises such as ‘freedom of will’ or the belief that punishment deters.”⁶⁷ Criminals under the MPC were often cast in neutral terms such as “actors” and victims as “complainants.” Terms such as “rapist” or “sodomist” are too harsh according to the new penal revisions.⁶⁸ And based on the Model Penal Code, an individual may have been so impaired mentally that he was unable to follow the law. Therefore, argued the MPC, the convicted sex crime offender is more likely to be rehabilitated through treatment and counseling by mental health experts than by incarceration. After fifty

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years of experience and research producing no evidence that therapy reduces recidivism,⁶⁹ former Attorney General Janet Reno acknowledged in her acceptance speech for the “Brandeis Medal for commitment to individual liberty, concern for the disadvantaged, and public service,” that punishment is indeed necessary to control crime.⁷⁰

The principal sex offenses of rape, sodomy, sexual abuse, and indecent exposure were redefined. In the ALI MPC the simplicity of common law punishments were made complex by grading them⁷¹ according to the use of “forcible compulsion,” the capacity or incapacity of the victim to consent, the age of the victim, and the age of the sexual predator.

ALI MODEL PENAL CODE FAILED

As we have seen, the purpose of the Model Penal Code, according to Professor Wechsler, was to reduce crime. In this regard, the data are clear: the ALI MPC has been a total failure. Women and children are far less safe today than they were before the changes brought in by the MPC.

Wechsler declared the MPC authors’ intentions in 1955: “We mean to act as if we were a legislative commission, charged with construction of an ideal penal code.”⁷² Wechsler wrote in the *Columbia Law Review* when the project was over, “Viewing these words in retrospect, I am content with their description of the effort.”⁷³ By the late 1970s, most state legislatures had heeded Wechsler’s call and had passed revised penal codes.⁷⁴ These revisions were supposed to have been guided by a new scientific understanding of sex, sex crime and sex criminals. However, the results suggest a lessening of understanding rather than an enhancement of it.

As the chart shows, violent crime increased 993% from 1951 to 1997. There was a 2.1% increase in the child population (the number of people under age 20) from 1970 to 2000.⁷⁵ This clearly does not account for the skyrocketing levels of sex crimes. According to the MPC vision, comprehensive sex education graphically presented in elementary and secondary grades should have reduced crime. Instead, during the same period, we see pandemic rates of venereal diseases,⁷⁶ rape, illegitimacy and abortions in teenage populations with the elimination of fornication as a crime, and the

trivializing of penalties for statutory rape, rape, prostitution and other sex crimes.

The radical ALI MPC reforms that reduced state sex crime penalties are a window into how America came to this sociosexual malaise. Studies confirm a correlation between greater punishment and less crime.⁷⁷ The rise in crime that is making America a less-safe environment for women and children has followed the changes in law that occurred as states abandoned the common law and adopted the guidance of the ALI Model Penal Code.

CONCLUSION

Alfred Kinsey was a moral revolutionary in scientist’s clothing. The science was bad, even bogus; the man himself may now be forgotten; but the revolution came to stay, with a vengeance. Kinsey’s message—fornicate early, fornicate often, fornicate in every possible way—became the mantra of a sex-ridden age, our age, now desperate for a reformation of its own.⁷⁸

The Kinsey Reports, well known to sexual and legal revolutionaries, are all but unknown to the current bench and bar. Kinsey’s once taunt “official mystique” sags with many troubling revelations, especially since 1997. However, Kinsey’s reputation still must be maintained because his Reports are the foundation of evolutionary sexuality worldwide. Sexual anarchists everywhere need “Dr. Kinsey.” This need resulted in an image reconstruction effort mounted by PBSTV’s “The American Experience,” and by Hollywood, PBS and FoxSearchlight films, Myriad Pictures and Coppola’s American Zoetrope studios. Reinventing Kinsey as a “sexual pioneer” may continue to cover up the ugly reality of the Indiana University zoologist, eugenicist, evolutionist, pedophile collaborator Kinsey and his assault on law and justice, and maybe not.

The manufactured statistics of The Kinsey Reports transformed America’s institutions of medicine, education and law. “Normal” human sexuality was metamorphosed into another image, which became indelible, when the American Law Institute delivered The

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Kinsey Reports junk science (in 1955 Draft #4, “Sexual Offenses,” Section 207 of the Model Penal Code) to the bench and bar in every state. Soon, based on the ALI MPC and the Kinsey Reports, the states’ long-settled and fixed common law sexual and reproductive standards were abolished via misinformed legislation and judicial decisions. After the laws were changed, the SIECUS brand of sex education entered schoolrooms to permanently alter Marriage, and the American family.

Prior to 1950 American Law largely prohibited any sexual acts outside of marriage. Marriage was a public contract, both civil and religious. Society had an interest in the security and solvency of every marriage. Marriage was to provide for the progeny of the union, secure the orderly passage of property to the next generation and prevent any burden to the State wrought by divorce, promiscuity, perversion and “unnatural” acts.⁷⁹

Marriage served the “public interest.” However, the “experts” of the ALI MPC dismantled the institution, based on the Kinsey Reports. By recommending the legalization of fornication, cohabitation, adultery, sodomy, etc., the MPC transformed what were known as “Public Morals” or “vice” laws into private sexual behaviors between “consenting” individuals. The new freedom, “Privacy,” would allow one to be left alone to pursue one’s one sexual “tastes,” according to Judge Learned Hand.⁸⁰

The “junk science” based on the debunked and discredited Kinsey Reports today serves as the foundation of publicly funded sex education. In addition, the ALI Model Penal Code has been adopted, all or in part, in every state. The harmful results can be seen over the past 50 years, especially as these changes negatively affect the lives of American women and children. The case is strong for real fact-based reform to remove the fraudulent findings of the Kinsey Reports from publicly funded programs, policies, and laws beginning with sex education and criminal law.

HOW SHOULD LEGISLATORS RESPOND?

State judiciary and education committees, legislators or activists may want to make presentations to clarify and inform leadership of the history and scope of Kinsey’s fraudulent

“science-based reforms.” Undoing harmful changes to sex education curricula and sex offense laws since each state’s penal code revision would be prudent. Bar Associations and state legislatures can initiate a restoration effort for legal protections once enjoyed by women and children.

The legal reforms that have been enacted since 1960 must be examined. First of all, legislators must be aware of the scientific authorities that were used to justify sex law changes. Next, legislators should determine what benefit or detriment these sex law changes have brought to America’s law-abiding citizens, especially our vulnerable children. Finally, legislators must directly address a working system for protecting women and children. The current system provides overwhelming proofs that it is moving society in the wrong direction.

Law must refocus on illegal acts and their consequences. Criminal behavior must once again be met with criminal sanctions that depend on the act of the aggressor—not the age of the victim, or the personality of the offender.

State legislatures must require accountability for programs involving rehabilitation. Programs should reduce recidivism or meet other measurable criteria established by the legislature in order to receive taxpayer support.

State legislators should continue the call for accurate science in children’s education. A review board could monitor textbooks purchased by the state Department of Education, and investigate parent’s concerns. Political ideologies should never be represented as science to vulnerable school children.

POSSIBLE OBJECTIONS TO LEGAL REFORMATION

Legislators, activists and concerned citizens who seek to restore legal protections to women and children may be met with the objection that “you can’t legislate morality” or that “culture drives law, anyway.”

A report in the *Wall Street Journal* confirms that law can shape behavior. According to the Journal, in response to rampant AIDS in Tanzania, laws and

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severe penalties against illicit sexual conduct were established, and this in a culture that historically has been free of limits on sexual behavior. The Journal reports, "within two years teachers report a decrease in schoolgirl pregnancy." The national AIDS committee chairman states, "We're penalizing people less often because almost everyone is behaving better."⁸¹ Just as Tanzania's experience demonstrates that law shapes behavior, we can expect positive change here in the United States as well.

U.S. Supreme Court Justice Louis D. Brandeis said;

"...the conduct of life is to so large an extent determined by the existing legal institutions, that an understanding of the legal system must give you a clearer view of human affairs in their manifold relations, and must aid you in comprehending the conditions, and institutions by which you are surrounded."⁸²

People often point to the influence of music and media upon our youth to explain massive changes in society. But these are outgrowths of what Brandeis explained drives our "conduct of life." If understanding the legal system gives you a "clearer view of human affairs" and aids in "comprehending conditions...by which you are surrounded," as Justice Brandeis declared, then the question to be answered is evident: What, within American "legal institutions," changed to account for the significant changes in "the conduct of life" in America regarding illegitimacy, rape, and sexual violence? On the evidence, those changes occurred primarily as a result of twentieth century law reform based on the American Law Institute's Model Penal Code, whose authority for defining normal human intimate behavior was the Kinsey Reports.

EXECUTIVE SUMMARY

Prior to the adoption of the American Law Institute's Model Penal Code by the states, men who raped and preyed on children were deemed criminals, not simply "actors" as they often are today. Abused and violated women and children were victims, not "complainants." Justice was meted out by a jury of one's peers, not by social science "experts," and predators received penalties, not legal protections.

With regard to sex offense crimes in the ALI MPC: A rash of state sex offense commissions convened just prior to the ALI MPC publication, providing findings to MPC authors. These commissions also relied heavily upon Alfred Kinsey and the fraudulent Kinsey Reports' view of "normal" human sexuality. Sexual activities are presented by the ALI MPC authors as "wide human need" and necessary from womb to tomb for health and happiness. Language and terms are changed to neutralize crimes against women and children. Rape and child abuse are redefined and de-stigmatized; the definition of "adult" tends to include children for purposes of sex. Creation of multiple degrees of a sex crime negates the felony penalty. And sex education in public schools is recommended as the primary crime prevention measure.

As in law, terms were changed in sex education to dissociate it from the eugenics movement. The Birth Control Federation of America became Planned Parenthood, which was necessary "to neutralize the highly negative image offered to the public by the term "birth control" (Alan Guttmacher writing in the preface of Margaret Sanger's autobiography, 1970). The new term "family planning" did not convey prejudice against large families, and linked contraceptives with marriage and babies instead of with prostitutes and illicit sexual alliances. Sex education became "family life education" which SIECUS founder Lester Kirkendall said would be "less threatening to parents and teachers and, in the end, "would lead to more not less sex education."⁸³

The plans legal revolutionaries made and acted upon overturned or trivialized 52 designated laws protective of women and children,⁸⁴ aided and enabled by the indispensable sex "science" of the Kinsey Reports. Over the past fifty years, our sex and reproduction laws have been deconstructed on the basis of a fraudulent set of data.

Law, by definition, is fixed or settled. But in the second half of the twentieth century Law entered an ever- evolving "stream," based on so-called scientific innovation. Billed as "science" based law reform, the Model Penal Code was

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promoted as a simple revision of the law based on new scientific discoveries in the social sciences. This effort was undertaken because of the high rates of violent crime. However, over the ensuing 50 years, the ALI MPC has failed to reduce crime and specifically failed to provide protections for women and children. It is time for state lawmakers to jettison bad policy based on bad science, and to restore legal protections for American women and children.

Fifty years have passed since the advent of the ALI MPC into the American stream of law. Now is the time for state legislatures to review the performance of the science-based criminal law reform that according to its chief author in 1952, was expected to lower crime. Wechsler declared common law penal codes were ineffective. It is time to review many of the radical changes brought about by the enactment of the Model Penal Code and to restore the safety and security lost for our most vulnerable citizens.

¹⁵ *The State Factor—Restoring Legal Protections for Women and Children* April 2004
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FOOTNOTES

¹ Joseph Epstein, COMMENTARY, January 1998. At www.Britannica.com, downloaded March 31, 2001

² HUMAN NATURE, October 1978, pp. 92-95.

³ James Jones, ALFRED C. KINSEY: A PUBLIC/PRIVATE LIFE at 619 (NY: W.W. Norton, 1997).

⁴ "This is one of the startling observations of the Kinsey group ... When a total clean-up of sex offenders is demanded, it is in effect a proposal to put 95% of the male population in jail." Albert Deutsch, SEX HABITS OF AMERICAN MEN, at 121.

⁵ J. A. Reisman, KINSEY: CRIMES AND CONSEQUENCES (2nd ed.), (Crestwood: Institute for Media Education, 2000).

⁶ *Really Dr. Kinsey?* 337 THE LANCET at 547 (March 2, 1991).

⁷ J. A. Reisman, *supra*, at 50-53. See also Arno Karlen, SEXUALITY AND HOMOSEXUALITY at 456 (1971).

⁸ Gebhard, Gagnon, Pomeroy, and Christenson, SEX OFFENDERS at 31-33 (1965).

⁹ Jonathan Gathorne-Hardy, ALFRED C. KINSEY: SEX THE MEASURE OF ALL THINGS at 130-131, 144, (1998).

¹⁰ Id. At 144, see also Reisman, *supra*, at 40.

¹¹ Warren Weaver, Desk Diary, May 7, 1951, pp. 4-5, Rockefeller Archive Center.

¹² Testimony of Alfred C. Kinsey before the Assembly Interim Committee on Judicial System and Judicial Process of the California Legislature, 1949, p. 133. Recorded in the Assembly Journal, March 8, 1950.

¹³ NIMH Grant The Kinsey Data: Marginal Tabulations, 1979, p. 3. -6 Gebhard and Johnson claim theirs is a 5,460 White Male Sample.

¹⁴ Abraham Maslow, *Test for Dominance-Feeling (Self-Esteem) in college Women*, THE JOURNAL OF SOCIAL PSYCHOLOGY at 255, 270 (1940); See also Abraham Maslow, *Self-esteem, Dominance, Feeling and Sexuality in Women*, 16 THE JOURNAL OF SOCIAL PSYCHOLOGY at 259, 294 (1942)

¹⁵ James H. Jones, *Dr. Yes*, THE NEW YORKER at 100-101 (September 1, 1997).

¹⁶ James H. Jones, interview in Tim Tate, *Secret Histories: Kinsey's Paedophiles*. (Yorkshire Television (Channel 4), United Kingdom, aired August 10, 1998).

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¹⁸ James H. Jones, ALFRED C. KINSEY: A PRIVATE/PUBLIC LIFE at 809, footnote 78 (1997).

¹⁹ Alfred C. Kinsey, Wardell Pomeroy, Clyde Martin, SEXUAL BEHAVIOR IN THE HUMAN MALE, at 144 (W. B. Saunders, 1948).

²⁰ "Secret Histories, *Kinsey Paedophiles*, *supra*. See also Kinsey, SEXUAL BEHAVIOR IN THE HUMAN MALE, at 161 (noting "violent convulsions, groaning, sobbing, violent cries, with an abundance of tears (especially among younger children).")

²¹ J. A. Reisman, *supra*, note 5, at 165-170.

²² Kinsey, et al, *supra*, Note 19, at 144.

²³ Reisman, J. A. *Supra*, note 5, at 177.

²⁴ Kinsey, Pomeroy and Martin, SEXUAL BEHAVIOR IN THE HUMAN MALE, page 180, Table 34.

²⁵ SIECUS Report, February/March 1996, "Position Statement" on "Sexually Explicit Materials."

²⁶ Herbert Otto, (Ed.), THE NEW SEX EDUCATION, at 171. (Chicago: Association press/Follett Publishers, 1978).

²⁷ Survey results and analysis are available at www.whatparentstink.com

²⁸ The panel of researchers found effectiveness in the heterosexual transmission of HIV and the female to male transmission of gonorrhea. These two areas represent 2% of all STDs occurring annually in the U.S. See the Response of the National Abstinence Clearinghouse to the NIH Condom Report; American Social Health Association, Sexually Transmitted Diseases in America: How Many Cases and at What Cost? Kaiser Family Foundation, December 1998; and CDC HIV/AIDS Surveillance Report, 1999.

²⁹ Dr. John Diggs, WebMD, <http://my.webmd.com/content/article/1700.50173>

³⁰ Justin Torres, "Condom crazy: The UN Pushes Contraception to fight AIDS," WORLD MAGAZINE, VOL. 15, September 9, 2000

³¹ Center for Disease Control, *HIV/AIDS Surveillance Report*. Dec. 1999. Vol. 11, No. 2, Table 5.

³² Meg Meeker, EPIDEMIC: HOW TEEN SEX IS KILLING OUR KIDS, (Washington, D.C.: Regnery Publishing, 2002).

³³ *Illinois Commission on Sex Offenders*, March 15, 1953, p. 36.

³⁴ Herbert Wechsler, *Challenge of a Model Penal Code*, 65 HARVARD LAW REVIEW at 1103 (1952).

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³⁶ The Illinois Commission cites this as a "scientific finding" on p. 9. See also, Kinsey, A.C., Pomeroy, W. B., & Martin, C.E. SEXUAL BEHAVIOR IN THE HUMAN MALE, at 181 (W. B. Saunders, 1948).

³⁷ A term used by Psychiatrist and Law Professor Ralph Slovenko to describe a four or five year old girl. See R. Slovenko & C. Phillips, *Psychosexuality and the Criminal Law*, 15 VANDERBILT LAW REVIEW, at 809 (1962). "The sometimes extreme seductiveness of a young female is a factor which has no place in the law, but it certainly affects motivation. *Even at the age of four or five, this seductiveness may be so powerful as to overwhelm the adult* into committing the offense. The affair is therefore not always the result of the adult's aggression; often the young female is the initiator and seducer." (Emphasis added).

³⁸ Albert Deutsch (Ed.), SEX HABITS OF AMERICAN MEN, A SYMPOSIUM ON THE KINSEY REPORTS at 126-128, (New York: Prentice Hall, 1948).

³⁹ Herbert Wechsler, *Challenge of a Model Penal Code*, 65 HARVARD LAW REVIEW 1103 (1952).

⁴⁰ Morris Ernst and David Loth, AMERICAN SEXUAL BEHAVIOR AND THE KINSEY REPORT, n. 28, at 132 (Graystone Press, 1948).

⁴¹ Morris Ploscowe, *Sexual Patterns and the Law*, in Albert Deutsch, SEX HABITS OF AMERICAN MEN: A SYMPOSIUM ON THE KINSEY REPORT at 126 (1948).

⁴² Rene Guyon, THE ETHICS OF SEXUAL ACTS (1948); Morris Ernst, AMERICAN SEXUAL BEHAVIOR AND THE KINSEY REPORT, (1948); Donald Porter Geddes and Enid Curie, Eds. ABOUT THE KINSEY REPORT, (1948); Jerome Himelhoch and Sylvia Fava, Eds. SEXUAL BEHAVIOR IN AMERICAN SOCIETY, (1948).

⁴³ *Report of the Illinois Commission on Sex Offenders*, March 15, 1953, at 9.

⁴⁴ Linda Jeffrey and Ronald D. Ray. 2003. A HISTORY OF THE AMERICAN LAW INSTITUTE'S MODEL PENAL CODE: THE KINSEY REPORTS' INFLUENCE ON "SCIENCE-BASED" LEGAL REFORM 1923-2003. (Crestwood, KY: First Principles Press).

⁴⁵ Frank E. Horack, Jr. *Sex Offenses and Scientific Investigation*, 44 ILLINOIS LAW REVIEW, at 156, 158 (1950).

⁴⁶ Wardell Pomeroy, DR. KINSEY AND THE INSTITUTE FOR SEX RESEARCH, at 210-11 (1972).

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⁴⁸ Testimony of Alfred C. Kinsey, *Id.*, p. 133.

⁴⁹ *Report of the Illinois Commission on Sex Offenders*, March 15, 1953, at 9.

⁵⁰ *Report and Recommendations of the Commission on the Habitual Sex Offender as Formulated by Paul W. Tappan*, Technical Consultant, February 1, 1950 at 12.

⁵¹ *Id.*, at 18.

⁵² Louis B. Schwartz, *Book Reviews: Sexual Behavior in the Human Male*, 96 UNIVERSITY OF PENNSYLVANIA LAW REVIEW at 917 (1948).

⁵³ *Id.*

⁵⁴ John Parker Huggard, *Criminal Law—North Carolina's Sodomy Statute: A Need for Revision*, 53 NORTH CAROLINA LAW REVIEW at 1037 (1975).

⁵⁵ Judy Potter, *Sex Offenses*, 28 MAINE LAW REVIEW 78 (1976); Albert J. Reiss, *Sex Offenses: The marginal status of the adolescent*, 25 LAW AND CONTEMPORARY PROBLEMS 311-312 (1960); Phillip E. Stebbins, *Sexual Deviation and the Laws of Ohio* 20 OHIO STATE LAW JOURNAL 347 (1959); Ronald P. Johnsen, *Sodomy Statutes—A Need for Change*, SOUTH DAKOTA LAW REVIEW 395-396 (Spring, 1968); B. E. C., Jr. *Pedophilia, Exhibitionism, and Voyeurism: Legal Problems in the Deviant Society* 4 GEORGIA LAW REVIEW 152 (1969); Larry E. Joplin, *Criminal Law: An Examination of the Oklahoma Laws Concerning Sexual Behavior*, 23 OKLAHOMA LAW REVIEW 459 (1970); Edward N. Fadeley, *Sex Crime in the New Code*, 51 OREGON LAW REVIEW 517 (1972); Orville Richardson, *Sexual Offenses Under the Proposed Missouri Criminal Code*, 38 MISSOURI LAW REVIEW 383 (1973); Ralph Slovenko and Cyril Phillips, *Psychosexuality and the Criminal Law*, 15 VANDERBILT LAW REVIEW 809 (1962); Jerome Hall, *Science and Reform in Criminal Law*, 100 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 733 (1952).

⁵⁶ Hugh Hefner, *The Legal Enforcement of Morality*, 40 UNIVERSITY OF COLORADO LAW REVIEW 200 (1967).

⁵⁷ See for example, The New Jersey Penal Code, Final Report of the New Jersey Criminal Law Revision Commission, October, 1971, at x; Morgan S. Bragg, *Victimless Sex Crimes: To the Devil, Not the Dungeon*, 25 UNIVERSITY OF FLORIDA LAW REVIEW 140 (1973); John S. Eldred, *Classification and Degrees of Offenses—An Approach to Modernity*, 57 KENTUCKY LAW JOURNAL, 81 (1968-69); John C. Danforth, *The Modern Criminal Code for Missouri (Tentative Draft)—A Challenge Fulfilled and the Challenge Presented*, 38 MISSOURI LAW REVIEW, 362 (1973); Paul E. Wilson, *New Bottles for Old Wine: Criminal Law Revision in Kansas*, 16 KANSAS LAW REVIEW, 588 (1968).

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⁶³ Benjamin Karpman, CRIMINALITY, INSANITY AND THE LAW, 1949. Quoted in 52 COLUMBIA LAW REVIEW at 749 (1952).

⁶⁴ Benjamin Karpman, *Sex Life in Prison*, 38 JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY at 476 (1948).

⁶⁵ C. W. Dean, *Treatment Concepts and Penology: A Sociologists' View*, 21 SOUTH CAROLINA LAW REVIEW at 51 (1968).

⁶⁶ Herbert Wechsler, *Challenge of a Model Penal Code*, 65 HARVARD LAW REVIEW at 1128.

⁶⁷ *Id.*, at 1103.

⁶⁸ Orville Richardson, *Sex Offenses under the Proposed Missouri Criminal Code*, 38 MISSOURI LAW REVIEW, at 372 (1973).

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⁷⁰ Reno Receives Highest Law School Award. *The Louisville Cardinal*, Independent Student Newspaper of the University of Louisville, February 12, 2002, p. 1-2.

⁷¹ Richardson, *supra*, Note 69, at 377, 392.

⁷² Herbert Wechsler, *A Thoughtful Code of Substantive Law*, 45 JOURNAL OF CRIMINAL LAW, CRIMINOLOGY AND POLICE SCIENCE, at 524-535 (1955).

⁷³ Herbert Wechsler, *Codification of the Criminal Law in the United States: The Model Penal Code*, 68 COLUMBIA LAW REVIEW at 1427 (1968).

⁷⁴ Wechsler cites to drafting committees in Minnesota, 1964; New Mexico, 1964; New York, 1967; Pennsylvania, 1967; and Michigan, 1967. Other early revisions include Illinois, 1962; Georgia, 1969; Kansas, 1970; Maryland, 1970; New Jersey, 1971; Massachusetts, 1972; Colorado, 1972; and Kentucky, 1974.

⁷⁵ U.S. Child Population, Bureau of Census, International Data Base reports 76.97 million under 20 in 1970, and 78.60 million under 20 in 2000.

⁷⁶ \$17 billion spent on major STDs and their preventable complications, including HIV infections in 1994. Data from the National Institutes of Health NIAID, Fact Sheet, December 1998.

⁷⁷ A study last year by the Manhattan Institute demonstrated that enforcing penalties against minor crimes prevented over 60,000 violent crimes in New York City from 1989 to 1998. The tough-on-crime stance some call "broken-windows policing," was "significantly and consistently linked to declines in violent crime." See George Kelling & William Sousa, Jr. *Do Police Matter? An Analysis of the Impact of New York City's Police Reforms*. CIVIC REPORT NO. 22, December 2001. The Manhattan Institute for Policy Research.

⁷⁸ Joseph Epstein, COMMENTARY, January 1998. At www.Britannica.com, downloaded March 31, 2001

⁷⁹ WEBSTER'S AMERICAN DICTIONARY OF THE ENGLISH LANGUAGE, (1828), "The act of uniting a man and woman for life; wedlock; the legal union of a man and woman for life. Marriage is a contract both civil and religious, by which the parties engage to live together in mutual affection and fidelity, till death shall separate them. Marriage was instituted by God himself for the purpose of preventing the promiscuous intercourse of the sexes, for promoting domestic felicity, and for securing the maintenance and education of children."

⁸⁰ David Allyn, *Private Acts/Public Policy: Alfred Kinsey, the American Law Institute and the Privatization of American Sexual Morality*, 30 JOURNAL OF AMERICAN STUDIES at 426 (1996).

⁸¹ Michael Phillips, *To Help Fight AIDS, Tanzanian Villages Ban Risky Traditions*, THE WALL STREET JOURNAL, January 12, 2001, at 1.

⁸² Leonard Baker, BRANDEIS AND FRANKFURTER: A DUAL BIOGRAPHY at 29 (Washington Square, NY: New York University Press, 1986).

⁸³ Lester Kirkendall, *Education for Family Living*, in Ellis and Abarbanel (Eds.), THE ENCYCLOPEDIA OF SEXUAL BEHAVIOR at 700 (1967).

⁸⁴ Morris Ernst and David Loth, AMERICAN SEXUAL BEHAVIOR AND THE KINSEY REPORT, (NY: Graystone Press, 1948).

From the first presentation to the ALEC Education Task Force of the Kinsey fraud in 1999 to the final vote at the 2003 ALEC Summit meeting, it has been a pleasure working to make this State Factor a reality. I was honored to serve as the Junk Science sub-committee Chair on this very important project. The evidence herein speaks for itself, documenting the reckless, imprudent decades-long use of fraudulent "sex science" data to cripple the sex laws and public policies that had served our nation so well until they were deftly subverted by a cadre of legal revolutionaries. It is hoped that this State Factor will serve legislators all over the nation by providing a factual history of how the Kinsey frauds came to dictate school sex education and our sex laws nationwide.

Senator Kay O'Connor
Chair of the Subcommittee on Junk Science

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

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Senator Laurie Bleaker (KS)
Del. Janet Greenip (MD)
Rep. Carolyn Coleman (OK)
Rep. Andre Martel (NH)
Del. John Reid (VA)
Senator Jack Westwood (KY)
Dr. Judith A. Reisman,
Scientific Advisor to the Subcommittee
on Junk Science.

Dr. Linda Jeffrey was the State Factor's Chief Author for *Restoring Legal Protections for Women and Children: A Historical Analysis Of The States Criminal Codes*.

For further information on changes to state law codes, please see the detailed monograph, *A History of the American Law Institute's Model Penal Code: The Kinsey Reports' Influence on "Science-based" Legal Reform 1923-2003*, available at www.firstprinciplespress.org.

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³ *The State Factor—Restoring Legal Protections for Women and Children* April 2004
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EXHIBIT C

AGE	NO. OF ORGASMS	TIME INVOLVED	AGE	NO. OF ORGASMS	TIME INVOLVED
5 men.	3	?	11 yr.	11	1 hr.
11 mon.	10	1 hr.	11 yr.	19	1 hr.
11 mon.	14	38 min.	12 yr.	7	3 hr.
	7	9 min.		3	3 min.
2 yr.	{ 11	65 min.	12 yr.	{ 9	2 hr.
2½ yr.	4	2 min.	12 yr.	12	2 hr.
4 yr.	6	5 min.	13 yr.	15	1 hr.
4 yr.	17	10 hr.	13 yr.	7	24 min.
4 yr.	26	24 hr.	13 yr.	8	2½ hr.
7 yr.	7	3 hr.	13 yr.	9	8 hr.
8 yr.	8	2 hr.		3	70 sec.
9 yr.	7	68 min.	13 yr.	{ 11	8 hr.
10 yr.	9	52 min.		26	24 hr.
10 yr.	14	24 hr.	14 yr.	11	4 hr.

Table 34. Examples of multiple orgasm in pre-adolescent males